

Utilitarianism
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Chapter 1: General Remarks

Little progress has been made towards deciding the controversy concerning *the criterion of right and wrong*. Among all the facts about the present condition of human knowledge, the state of this controversy is most unlike what might have been expected and most indicative significant of the backward state in which theorizing on the most important subjects still lingers. *That* is how little progress has been made! From the dawn of philosophy the question concerning the *summum bonum* [Latin, = ‘the greatest good’] or, what is the same thing, concerning the foundation of morality, has been regarded as the main problem in speculative thought, occupied the most gifted intellects, and divided them into sects and schools, vigorously warring against one another.

And after more than two thousand years the same discussions continue! Philosophers still line up under the same opposing battle-flags, and neither thinkers nor people in general seem to be any nearer to being unanimous on the subject than when young Socrates listened to old Protagoras and asserted the theory of utilitarianism against the popular morality of the so-called ‘sophist’ (I’m assuming here that Plato’s dialogue is based on a real conversation).

It is true that similar confusion and uncertainty, and in some cases similar disagreements, exist concerning the basic principles of all the sciences—even including the one that is thought to be the most certain of them, namely mathematics—without doing much harm, and usually without doing *any* harm, to the trustworthiness of the conclusions of those sciences. This seems odd, but it can be explained: the detailed doctrines of a science usually are not deduced from what are called its first principles and do not need those principles to make them evident. If this weren’t so, there would be no science more precarious, and none whose conclusions were more weakly based, than *algebra*. This does not get any of its certainty from what are commonly taught to learners as its elements or first principles, because these, as laid down by some of its most eminent teachers, are as full of fictions as English law and as full of mysteries as theology. The truths that are ultimately accepted as the *first* principles of a science are really the *last* results of metaphysical analysis of the basic notions that are involve in the science in question. Their relation to the science is not that of foundations to a building but of roots to a tree, which can do their job equally

well if they are never dug down to and exposed to light. But though in science the particular truths precede the general theory, the reverse of that might be expected with a practical art such as morals or legislation. All action is for the sake of some end; and it seems natural to suppose that rules of action must take their whole character and colour from the end at which actions aim. When we are pursuing something, a clear and precise conception of *what* we are pursuing would seem to be the first thing we need, rather than being the last we are to look forward to. One would think that a test or criterion of right and wrong must be the means of discovering what is right or wrong, and not a consequence of having already discovered this.

The difficulty cannot be avoided by bringing in the popular theory of a natural moral *faculty*, a sense or instinct informing us of right and wrong. For one thing, the ‘criterion’ dispute includes a dispute about whether there *is* any such moral instinct. And, anyway, believers in it who have *any* philosophical ability have been obliged to abandon the idea that it—the moral faculty or ‘moral sense’ or moral intuition—picks out what is right or wrong in this or that particular case in the way that our other senses pick up the sight or sound that is actually present in the particular concrete situation. Our moral faculty, according to all those of its friends who are entitled to count as thinkers, supplies us only with the general principles of moral judgments; it belongs with *reason* and not with *sense-perception*; what we can expect from it are the abstract doctrines of morality, and not the perception of morality in particular concrete situations. The intuitionist school of ethics insists on the necessity of general laws just as much as does the inductive school (as we might label it). They both agree that knowing the morality of an individual action is not a matter of direct perception but of the application of a law to an individual case. The two schools mostly agree also in what moral laws they recognize; but they differ on what makes those moral laws evident, and what give them their authority.

According to the intuitionists, the principles of morals are evident *a priori*: if you know the meanings of the terms in which they are expressed, you’ll have to assent to them. According to the inductivists, right and wrong are questions of observation and experience just as truth and falsehood are. But both schools hold equally that morality must be deduced from principles; and the intuitive school affirm as strongly as the

inductive does that there is a *science* of morals—i.e. an organized system containing basic axioms from which the rest can be rigorously deduced. Yet they seldom attempt to provide a list of the *a priori* principles that are to serve as the premises of the science; and they almost never make any effort to reduce those various principles to one first principle, one first all-purpose ground of obligation. Instead, they either treat the ordinary precepts of morals as though they had *a priori* authority or lay down as the all-purpose groundwork of those maxims some general moral principle that is much less obviously authoritative than the maxims themselves and hasn't ever been widely accepted. Yet to support their claims there ought to be one fundamental principle or law at the root of all morality; or if there are several of them, they should be clearly rank-ordered in relation to one another, and there should be a *self-evident* principle or rule for deciding amongst them when they conflict in a particular case.

The lack of any clear recognition of an ultimate standard may have corrupted the moral beliefs of mankind or made them uncertain; on the other hand, the bad effects of this deficiency may have been moderated in practice. To determine how far things have gone in the former way and how far in the latter would require a complete critical survey of past and present ethical doctrine. But it wouldn't be hard to show that whatever steadiness or consistency mankind's moral beliefs *have* achieved has been mainly due to the silent influence of a standard that hasn't been consciously recognised. In the absence of an acknowledged first principle, ethics has been not so much a guide to men in forming their moral views as a consecration of the views they actually have; but men's views—both for and against—are greatly influenced by what *effects on their happiness* they suppose things to have; and so the principle of utility—or, as Bentham eventually called it, 'the greatest happiness principle'—has had a large share in forming the moral doctrines even of those who most scornfully reject its authority. And *every* school of thought admits that the influence of actions on happiness is a very significant and even predominant consideration in many of the details of morals, however unwilling they may be to allow the production of happiness as the fundamental principle of morality and the source of moral obligation. I might go much further and say that *a priori* moralists cannot do without utilitarian arguments (I am not talking about the ones who do not think they need to argue at all!). It is not my present purpose to criticise these thinkers; but I cannot refrain from bringing in as an illustration a

systematic treatise by one of the most illustrious of the *a priori* moralists, the *Metaphysics of Ethics* by Kant. This remarkable man, whose system of thought will long remain one of the landmarks in the history of philosophical thought, lays down in that treatise a universal first principle as the origin and ground of moral obligation:

Act in such a way that the rule on which you act could be adopted as a law by all rational beings.

But when he begins to derive any of the actual duties of morality from this principle he fails, almost grotesquely, to show that there would be any contradiction—any logical impossibility, or even any physical impossibility—in the adoption by all rational beings of the most outrageously immoral rules of conduct. All he shows is that the universal adoption of such rules would have consequences that no-one would choose to bring about.

In the present work I shall, without further discussion of the other theories, try to contribute something towards the understanding and appreciation of the Utilitarian or Happiness theory, and towards such proof as it can be given. Obviously this cannot be ‘proof’ in the ordinary and popular meaning of that word. Questions about ultimate ends cannot be settled by direct proof. You can prove something to be good only by showing that it is a means to something that is admitted without proof to be good. The art of medicine is proved to be good by its conducing to health, but how is it possible to prove that health is good? The art of music is good because (among other reasons) it produces pleasure, but what proof could be given that pleasure is good? So if it is claimed that there is a comprehensive formula that covers everything that is good in itself, and whatever else is good is not good as an end but as a means to something that is covered by the formula, the formula may be accepted or rejected but it cannot be given what is commonly called a ‘proof’. But we shouldn’t infer that its acceptance or rejection must depend on blind impulse or arbitrary choice. There is a broader meaning of the word ‘proof’ in which this question is as capable of being settled by ‘proof’ as any other of the disputed questions in philosophy. The subject is within reach of the faculty of reason, which does not deal with it solely by moral intuitions such as the intuitionists believe in. Considerations can be presented that are capable of determining the intellect either to give or withhold its assent to the doctrine; and this is equivalent to *proof*.

We shall examine presently what sort of thing these considerations are and how they apply to the question at hand. In doing this we shall be examining what rational grounds can be given for accepting or rejecting the utilitarian formula. But if there is to be rational acceptance or rejection, the formula should *first* be correctly understood. I believe that the chief obstacle to acceptance of the utilitarian principle has been people's very imperfect grasp of its meaning, and that if the misunderstandings of it—or even just the very gross ones—could be cleared up, the question would be greatly simplified and a large proportion of its difficulties removed. So before I embark on the philosophical grounds that can be given for assenting to the utilitarian standard, I shall offer some illustrations of the doctrine itself; aiming to show more clearly what it is, distinguish it from what it is not, and dispose of such of the practical objections to it as come from or are closely connected with mistaken interpretations of its meaning.

Having thus prepared the ground, I shall afterwards try to throw as much light as I can on the question, considered as one of philosophical theory.

Chapter 2: What utilitarianism is

Some people have supposed that those who stand up for 'utility' as the test of right and wrong use that term in the restricted and merely colloquial sense in which 'utility' is opposed to pleasure. A passing remark is all that needs to be given to that ignorant blunder. [This is probably a protest against, among other things, a school-master in Dickens's fine novel *Hard Times*, whose approach to education insisted on what is 'useful' and flatly opposed any kind of pleasure.] I owe an apology to the philosophical opponents of utilitarianism for even briefly seeming to regard *them* as capable of so absurd a misunderstanding. The blunder is all the more extraordinary given that another of the common charges against utilitarianism is the *opposite* accusation that it bases everything on pleasure (understood very crudely). One able writer has pointedly remarked that the same sort of persons, and often the very same persons, denounce the theory 'as impracticably dry when the word "utility" precedes the word "pleasure", and as too practicably voluptuous when the word "pleasure" precedes the word "utility"! Those who know anything about the matter are aware that every writer from Epicurus to Bentham who maintained the theory of 'utility'

meant by it not something to be contrasted with pleasure but pleasure itself together with freedom from pain; and instead of opposing the useful to the agreeable or the ornamental, they have always declared that ‘useful’ includes these among other things. Yet the common herd, including the herd of writers—not only in newspapers and magazines but in intellectually ambitious *books*—are perpetually falling into this shallow mistake. Having caught up the word ‘utilitarian’, while knowing nothing whatever about it but its sound, they habitually express by it keeping out or neglecting *pleasure* in some of its forms, such as beauty, ornament and amusement. And when the term ‘utility’ is ignorantly misused in this way, it is not always in criticism of utilitarianism; occasionally it occurs when utilitarianism is being *complimented*, the idea being that utility is something superior to frivolity and the mere pleasures of the moment, whereas really it includes them. This perverted use is the only one in which the word ‘utility’ is popularly known, and the one from which the young are now getting their sole notion of its meaning. Those who introduced the word, but who had for many years stopped using it as a doctrinal label, may well feel themselves called upon to resume it, if by doing so they can hope to contribute anything towards rescuing it from this utter degradation.¹

The doctrine that the basis of morals is utility, or the greatest happiness principle, holds that actions are right in proportion as they tend to promote happiness, wrong in proportion as they tend to produce the reverse of happiness. By ‘happiness’ is meant pleasure and the absence of pain; by ‘unhappiness’ is meant pain and the lack of pleasure. To give a clear view of the moral standard set up by the theory, much more needs to be said, especially about what things the doctrine includes in the ideas of pain and pleasure, and to what extent it leaves this as an open question. But these supplementary explanations do not affect the theory of life on which this theory of morality is based—namely the thesis that pleasure and freedom from pain are the only things that are *desirable as ends*, and that everything that is *desirable at all* is so either for the pleasure inherent in it or as means to the promotion

¹ I have reason to believe that I am the first person who brought the word ‘utilitarian’ into general use. I didn’t invent it, but adopted it from a passing expression in Mr. Galt’s *Annals of the Parish*. After using it as a label for several years, he and others abandoned it because of their growing dislike for anything resembling a badge or slogan marking out a sect. But as a name for one single opinion, not a set of opinions—to stand for the recognition of utility as a standard, not any particular way of applying the standard—the term fills a gap in the language, and offers in many cases a convenient way of avoiding tiresome long-windedness.

of pleasure and the prevention of pain.

(The utilitarian system has as many things that are desirable, in one way or the other, as any other theory of morality.)

Now, such a theory of life arouses utter dislike in many minds, including some that are among the most admirable in feeling and purpose. The view that life has (as they express it) no higher end—no better and nobler object of desire and pursuit—than *pleasure* they describe as utterly mean and grovelling, a doctrine worthy only of pigs. The followers of Epicurus were contemptuously compared with pigs, very early on, and modern holders of the utilitarian doctrine are occasionally subjected to equally polite comparisons by its German, French, and English opponents.

Higher and Lower Pleasures

When attacked in this way, the Epicureans have always answered that it is not they but their accusers who represent human nature in a degrading light, because the accusation implies that human beings are capable only of pleasures that pigs are also capable of. If this were true, there'd be no defence against the charge, but then it wouldn't be a *charge*, for if the sources of pleasure were precisely the same for humans as for pigs, the rule of life that is good enough for *them* would be good enough for *us*. The comparison of the Epicurean life to that of beasts is felt as degrading precisely because a beast's pleasures do *not* satisfy a human's conceptions of happiness. Human beings have higher faculties than the animal appetites, and once they become conscious of them they do not regard anything as happiness that does not include their gratification. Admittedly the Epicureans were far from faultless in drawing out the consequences of the utilitarian principle; to do this at all adequately one must include—which they did not—many Stoic and some Christian elements. But every Epicurean theory of life that we know of assigns to the pleasures of the intellect, of the feelings and imagination and of the moral sentiments a much higher value as pleasures than to those of mere sensation. But it must be admitted that when utilitarian writers have said that mental pleasures are better than bodily ones they have mainly based this on mental pleasures being more permanent, safer, less costly and so on—i.e. from their circumstantial advantages rather than from their intrinsic nature. And on all these points utilitarians have fully proved their case; but they *could*, quite consistently with their basic principle, have taken the other

route—occupying the higher ground, as we might say. It is quite compatible with the principle of utility to recognise that some kinds of pleasure are more desirable and more valuable than others. In estimating the value of anything else, we take into account quality as well as quantity; it would be absurd if the value of pleasures were supposed to depend on quantity alone.

‘What do you mean by “difference of quality in pleasures”?’
 What, according to you, makes one pleasure more valuable than another, merely *as a pleasure*, if not its being greater in amount?’
 There is only one possible answer to this.

Pleasure P_1 is more desirable than pleasure P_2 if: all or almost all people who have had experience of both give a decided preference to P_1 , irrespective of any feeling that they *ought* to prefer it.

If those who are competently acquainted with both these pleasures place P_1 so far above P_2 that they prefer it even when they know that a greater amount of discontent will come with it, and wouldn't give it up in exchange for any quantity of P_2 that they are capable of having, we are justified in ascribing to P_1 a superiority in *quality* that so greatly outweighs *quantity* as to make quantity comparatively negligible.

Now, it is an unquestionable fact that the way of life that employs the higher faculties is strongly preferred to the way of life that caters only to the lower ones by people who are equally acquainted with both and equally capable of appreciating and enjoying both. Few human creatures would agree to be changed into any of the lower animals in return for a promise of the fullest allowance of animal pleasures; no intelligent human being would consent to be a fool, no educated person would prefer to be an ignoramus, no person of feeling and conscience would rather be selfish and base, even if they were convinced that the fool, the dunce or the rascal is better satisfied with his life than they are with theirs. If they ever think they *would*, it is only in cases of unhappiness so extreme that to escape from it they would exchange their situation for almost any other, however undesirable they may think the other to be. Someone with higher faculties requires more to make him happy, is probably capable of more acute suffering, and is certainly vulnerable to suffering at more points, than someone of an inferior type; but in spite of these drawbacks he cannot ever really wish to sink into what he

feels to be a lower grade of existence. Explain this unwillingness how you please! We may attribute it to *pride*, a name that is given indiscriminately to some of the *most* and to some of the *least* admirable feelings of which human beings are capable; the *love of liberty and personal independence* (for the Stoics, that was one of the most effective means for getting people to value the higher pleasures); or the *love of power*, or the *love of excitement*, both of which really do play a part in it.

But the most appropriate label is *a sense of dignity*. All human beings have this sense in one form or another, and how strongly a person has it is roughly proportional to how well endowed he is with the higher faculties. In those who have a strong sense of dignity, their dignity is so essential to their happiness that they couldn't want, for more than a moment, anything that conflicts with it.

Anyone who thinks that this preference takes place at a sacrifice of happiness—anyone who denies that the superior being is, other things being anywhere near equal, happier than the inferior one—is confusing two very different ideas, those of *happiness* and of *contentment*. It is true of course that the being whose capacities of enjoyment are low has the greatest chance of having them fully satisfied and thus of being contented; and a highly endowed being will always feel that any happiness that he can look for, given how the world is, is imperfect. But he can learn to bear its imperfections, if they are at all bearable; and they won't make him envy the person who is not conscious of the imperfections only because he has no sense of the good that those imperfections are imperfections *of*—for example, the person who is not bothered by the poor quality of the conducting because he does not enjoy music anyway. It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied. And if the fool or the pig think otherwise, that is because they know only their own side of the question. The other party to the comparison knows both sides.

'But many people who are capable of the higher pleasures do sometimes, under the influence of temptation, give preference to the lower ones.' Yes, but this is quite compatible with their fully appreciating the intrinsic superiority of the higher. Men's infirmity of character often leads them to choose the *nearer* good over the *more valuable* one; and they do this just as much when it is a choice between two bodily pleasures as when it is between a

bodily pleasure and a mental one. They pursue sensual pleasures at the expense of their health, though they are perfectly aware that health is the greater good, doing this because the sensual pleasures are *nearer*.

‘Many people who begin with youthful enthusiasm for everything noble, as they grow old sink into laziness and selfishness.’ Yes, this is a very common change; but I do not think that those who undergo it voluntarily choose the lower kinds of pleasures in preference to the higher. I believe that before they devote themselves exclusively to the lower pleasures they have already become incapable of the higher ones. In most people a capacity for the nobler feelings is a very tender plant that is easily killed, not only by hostile influences but by mere lack of nourishment; and in the majority of young persons it quickly dies away if their jobs and their social lives are not favourable to keeping that higher capacity in use. Men lose their high aspirations as they lose their intellectual tastes, because they do not have time or opportunity for indulging them; and they addict themselves to lower pleasures not because they deliberately prefer them but because they are either the only pleasures they can get or the only pleasures they can still enjoy. It may be questioned whether anyone who has remained equally capable of both kinds of pleasure has ever knowingly and calmly preferred the lower kind; though throughout the centuries many people have broken down in an ineffectual attempt to have both at once.

I do not see that there can be any appeal against this verdict of the only competent judges! On a question as to which is the better worth having of two pleasures, or which of two ways of life is the more agreeable to the feelings (apart from its moral attributes and from its consequences), the judgment of those who are qualified by knowledge of both must be admitted as final—or, if they differ among themselves, the judgment of the majority among them. And we can be encouraged to accept this judgment concerning the *quality* of pleasures by the fact that there is no other tribunal to appeal to even on the question of *quantity*. What means do we have for deciding which is the more acute of two pains, or the more intense of two pleasurable sensations, other than the collective opinion of those who are familiar with both? Moving back now from quantity to quality: there are different kinds of pain and different kinds of pleasure, and every pain is different from every pleasure. What can decide whether a

particular kind of pleasure is worth purchasing at the cost of a particular kind of pain, if not the feelings and judgment of those who are experienced in both kinds? When, therefore, those feelings and judgments declare the pleasures derived from the higher faculties to be preferable in kind, apart from the question of intensity, to those that can be enjoyed by animals that do not have the higher faculties, their opinion on this subject too should be respected.

I have dwelt on this point because you need to understand it if you are to have a perfectly sound conception of utility or happiness, considered as the governing rule of human conduct. But you could rationally accept the utilitarian standard without having grasped that people who enjoy the higher pleasures are happier than those who do not. That's because the utilitarian standard is not the agent's own greatest happiness but the greatest amount of happiness altogether; and even if it can be doubted whether a noble character is always happier because of its nobleness, such a character certainly makes other people happier, and the world in general gains immensely from its existence. So utilitarianism would achieve its end only through the general cultivation of nobleness of character, even if each individual got benefit only from the nobleness of others, with his own nobleness serving to *reduce* his own happiness.

But mere *statement* of this last supposition brings out its absurdity so clearly that there is no need for me to argue against it.

Happiness as an Aim

According to the greatest happiness principle as I have explained it, the ultimate end, for the sake of which all other things are desirable (whether we are considering our own good or that of other people) is an existence as free as possible from pain and as rich as possible in enjoyments. This means rich in quantity and in quality; the test of quality, and the rule for measuring it against quantity, being the preferences of those who are best equipped to make the comparison—equipped, that is, by the range of their experience and by their habits of self-consciousness and self-observation. If the greatest happiness of all is (as the utilitarian opinion says it is) the end of human action, it must also be the standard of morality; which can therefore be defined as:

the rules and precepts for human conduct such that: the

observance of them would provide the best possible guarantee of an existence such as has been described—for all mankind and, so far as the nature of things allows, for the whole sentient creation.

Against this doctrine, however, another class of objectors rise up, saying that the rational purpose of human life and action cannot be *happiness* in any form. For one thing, it is unattainable, they say; and they contemptuously ask ‘What right do *you* have to be happy?’, a question that Mr. Carlyle drives home by adding ‘What right, a short time ago, did you have even to *exist*?’. They also say that men can do without happiness; that all noble human beings have felt this, and couldn’t have become noble except by learning the lesson of *renunciation*. They say that thoroughly learning and submitting to that lesson is the beginning and necessary condition of all virtue.

If the first of these objections were right, it would go to the root of the matter; for if human beings *cannot* have any happiness, the achieving of happiness cannot be the end of morality or of any rational conduct. Still, even if human beings couldn’t be happy there might still be something to be said for the utilitarian theory, because utility includes not solely the pursuit of happiness but also the prevention or lessening of unhappiness; and if the former aim is illusory there will be all the more scope for —*and need of*—the latter. At any rate, that will be true so long as mankind choose to go on living, and do not take refuge in the simultaneous act of suicide recommended under certain conditions by the German poet Novalis. But when someone positively asserts that ‘It is impossible for human life to be happy’, if this is not something like a verbal quibble it is at least an exaggeration. If ‘happiness’ is taken to mean *a continuous state of highly pleasurable excitement*, it is obvious enough that *this* is impossible. A state of exalted pleasure lasts only moments, or—in some cases and with some interruptions—hours or days. Such an experience is the occasional brilliant flash of enjoyment, not its permanent and steady flame. The philosophers who have taught that happiness is the end of life were as fully aware of this as those who taunt them. The ‘happiness’ that they meant was not a life of rapture; but a life containing some moments of rapture, a few brief pains, and many and various pleasures; a life that is much more active than passive; a life based on not expecting more from life than it is capable of providing.

A life made up of those components has always appeared worthy of the name of 'happiness' to those who have been fortunate enough to obtain it. And even now many people have such an existence during a considerable part of their lives. The present wretched education and wretched social arrangements are the only real hindrance to its being attainable by almost everyone.

'If human beings are taught to consider happiness as the end of life, they are not likely to be satisfied with such a moderate share of it.' On the contrary, very many people have been satisfied with much less! There seem to be two main constituents of a satisfied life, and each of them has often been found to be, on its own, sufficient for the purpose. They are *tranquillity* and *excitement*. Many people find that when they have much tranquillity they can be content with very little pleasure; and many find that when they have much excitement they can put up with a considerable quantity of pain. It is certainly possible that a man—and even the mass of mankind—should have both tranquillity and excitement. So far from being incompatible with one another, they are natural allies: prolonging either of them is a preparation for the other, and creates a wish for it. The only people who do not desire excitement after a restful period are those in whom laziness amounts to a *vice*; and the only ones who dislike the tranquillity that follows excitement—finding it dull and bland rather than pleasurable in proportion to the excitement that preceded it—are those whose need for excitement is a *disease*. When people who are fairly fortunate in their material circumstances do not find sufficient enjoyment to make life valuable to them, this is usually because they care for nobody but themselves. If someone has neither public nor private affections, that will greatly reduce the amount of excitement his life can contain, and any excitements that he *does* have will sink in value as the time approaches when all selfish interests must be cut off by death. On the other hand, someone who leaves after him objects of personal affection, especially if he has developed a fellow-feeling with the interests of mankind as a whole, will retain as lively an interest in life on the eve of his death as he had in the vigour of youth and health. Next to selfishness, the principal cause that makes life unsatisfactory is lack of mental cultivation. I am talking here not about minds that are cultivated as a philosopher's is, but simply minds that have been open to the fountains of knowledge and have been given a reasonable amount of help in *using* their

faculties. A mind that is cultivated in that sense will find inexhaustible sources of interest in everything that surrounds it—in the objects of nature, the achievements of art, the imaginations of poetry, the incidents of history, human events in the past and present as well as their prospects in the future. It is *possible* to become indifferent to all this, even when one hasn't yet exhausted a thousandth part of it; but that can happen only to someone who from the beginning has had no moral or human interest in these things, and has looked to them only to satisfy his curiosity.

These two prime requirements of happiness—mental cultivation and unselfishness—shouldn't be thought of as possible only for a lucky few. There is absolutely no reason in the nature of things why an amount of mental culture sufficient to give an intelligent interest in science, poetry, art, history etc. should not be the inheritance of everyone born in a civilised country; any more than there's any inherent necessity that any human being should be a selfish egotist whose only feelings and cares are ones that centre on his own miserable individuality. Something far superior to this is, even now, common enough to give plenty of indication of what the human species may become. Genuine private affections and a sincere interest in the public good are possible, though to different extents, for every rightly brought up human being. In a world containing so much to interest us, so much for us to enjoy, and so much needing to be corrected and improved, everyone who has a moderate amount of these moral and intellectual requirements—unselfishness and cultivation—is capable of an existence that may be called *enviable*; and such a person will certainly have this enviable existence as long as he is not, because of bad laws or conditions of servitude, prevented from using the sources of happiness that are within his reach; and he escapes the positive evils of life—the great sources of physical and mental suffering—such as poverty, disease, and bad luck with friends and lovers (turning against him, proving to be worthless, or dying young).

So the main thrust of the problem lies in the battle against these calamities. In the present state of things, poverty and disease etc. cannot be eliminated, and often cannot even be lessened much; and it is a rare good fortune to escape such troubles entirely. Yet no-one whose opinion deserves a moment's consideration can doubt that most of the great positive

evils of the world are in themselves removable, and will (if human affairs continue to improve) eventually be reduced to something quite small. *Poverty*, in any sense implying suffering, could be completely extinguished by the wisdom of society combined with the good sense and generosity of individuals. Even that most stubborn of enemies, *disease*, could be indefinitely reduced in scope by good physical and moral education and proper control of noxious influences; while the progress of science holds out a promise of still more direct conquests over this detestable foe. And every advance in that direction reduces the probability of events that would cut short our own lives or—more important to us—the lives of others in whom our happiness is wrapped up. As for ups and downs of fortune, and other disappointments connected with worldly circumstances, these are principally the effect of gross foolishness, of desires that got out of control, or of bad or imperfect social institutions.

In short, all the large sources of human suffering are to a large extent—and many of them almost entirely—conquerable by human care and effort. Their removal is grievously slow, and a long succession of generations will perish in the battle before the conquest is completed and this world becomes what it easily *could* be if we had the will and the knowledge to make it so. Yet despite this, every mind that is sufficiently intelligent and generous to play some part (however small and inconspicuous) in the effort will draw a noble *enjoyment* from the contest itself—an enjoyment that he couldn't be induced to give up by any bribe in the form of selfish indulgence.

And this leads to the right response to the objectors who say that we can, and that we should, do without happiness. It is certainly *possible* to do without happiness; nineteen-twentieths of mankind are compelled to do without it, even in those parts of our present world that are least deep in barbarism. And it often happens that a hero or martyr forgoes it for the sake of something that he values more than his individual happiness. But what is this something if it is not the happiness of others or something required for their happiness? It is noble to be capable of resigning entirely one's own share of happiness, or the chances of it; but no-one engages in self-sacrifice just so as to engage in self-sacrifice! He must have some end or purpose. You may say: 'The end he aims at in his self-sacrifice is not anyone's happiness; it is *virtue*, which is better than happiness.' In response to this I ask: Would the sacrifice be made if the hero or martyr

did not think it would spare others from having to make similar sacrifices? Would it be made if he thought that his renunciation of happiness for himself would produce no result for any of his fellow creatures except to make their situation like his, putting them in also in the position of persons who have renounced happiness? All honour to those who can give up for themselves the personal enjoyment of life, when by doing this they contribute worthily to increasing the amount of happiness in the world; but someone who does it, or claims to do it, for any *other* purpose does not deserve admiration any more than does the ascetic living on top of his pillar. He may be a rousing proof of what men *can* do, but surely not an example of what they *should* do.

Self-Sacrifice

Only while the world is in a very imperfect state can it happen that anyone's best chance of serving the happiness of others is through the absolute sacrifice of his own happiness; but while the world *is* in that imperfect state, I fully admit that the readiness to make such a sacrifice is the highest virtue that can be found in man. I would add something that may seem paradoxical: namely that in this present imperfect condition of the world the conscious ability to do without happiness gives the best prospect of bringing about such happiness as is attainable. For nothing except that consciousness can raise a person above the chances of life by making him feel that fate and fortune—let them do their worst!—have no power to subdue him. Once he feels *that*, it frees him from excessive anxiety about the evils of life and lets him (like many a Stoic in the worst times of the Roman Empire) calmly develop the sources of satisfaction that are available to him, not concerning himself with the uncertainty regarding how long they will last or the certainty that they will end.

Meanwhile, let utilitarians never cease to claim that they have as much right as the Stoic or the Transcendentalist to maintain the morality of *devotion to a cause* as something that belongs to them. The utilitarian morality *does* recognise that human beings can sacrifice their own greatest good for the good of others; it merely refuses to admit that the sacrifice is *itself* a good. It regards as *wasted* any sacrifice that does not increase, or tend to increase, the sum total of happiness. The only self-renunciation that it applauds is devotion to the happiness, or to some of the means to happiness, of others; either of

mankind collectively, or of individuals within the limits imposed by the collective interests of mankind.

I must again repeat something that the opponents of utilitarianism are seldom fair enough to admit, namely that the happiness that forms the utilitarian standard of what is right in conduct is not the agent's own happiness but that of all concerned. As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator. In the golden rule of Jesus of Nazareth we read the complete spirit of the ethics of utility. 'Do as you would be done by, and to love your neighbour as yourself' constitute the ideal perfection of utilitarian morality. As the practical way to get as close as possible to this ideal, the ethics of utility would command two things. (1) First, laws and social arrangements should place the happiness (or what for practical purposes we may call the *interest*) of every individual as much as possible in harmony with the interest of the whole. (2) Education and opinion, which have such a vast power over human character, should use that power to establish in the mind of every individual an unbreakable link between his own happiness and the good of the whole; especially between his own happiness and the kinds of conduct (whether *doing* or *allowing*) that are conducive to universal happiness. If (2) is done properly, it will tend to have two results: (2a) The individual won't be able to *conceive* the possibility of being personally happy while acting in ways opposed to the general good. (2b) In each individual a direct impulse to promote the general good will be one of the habitual motives of action, and the feelings connected with it will fill a large and prominent place in his sentient existence. This is the true character of the utilitarian morality. If those who attack utilitarianism see it as being like *this*, I do not know what good features of some other moralities they could possibly say that utilitarianism lacks, what more beautiful or more elevated developments of human nature any other ethical systems can be supposed to encourage, or what motivations for action that are not available to the utilitarian those other systems rely on for giving effect to their mandates.

Setting the Standard too High?

The objectors to utilitarianism cannot be accused of always representing it in a discreditable light. On the contrary, objectors who have anything like a correct idea of its disinterested character

sometimes find fault with utilitarianism's standard as being too high for humanity. To require people always to act from the motive of promoting the general interests of society—that is demanding too much, they say. But this is to mistake the very meaning of a standard of morals, and confuse the rule of action with the motive for acting. It is the business of ethics to tell us what are our duties, or by what test we can know them; but no system of ethics requires that our only motive in everything we do shall be a feeling of duty; on the contrary, ninety-nine hundredths of all our actions are done from other motives, and *rightly* so if the rule of duty does not condemn them. It is especially unfair to utilitarianism to object to it on the basis of this particular misunderstanding, because utilitarian moralists have gone beyond almost everyone in asserting that the motive has nothing to do with the *morality of the action* though it has much to do with the *worth of the agent*. He who saves a fellow creature from drowning does what is morally right, whether his motive is duty or the hope of being paid for his trouble; he who betrays a friend who trusts him is guilty of a crime, even if his aim is to serve another friend to whom he is under greater obligations.

Let us now look at actions that are done from the motive of duty, in direct obedience to the utilitarian principle: it is a misunderstanding of the utilitarian way of thinking to conceive it as implying that people should fix their minds on anything as wide as *the world* or *society in general*. The great majority of good actions are intended not for the benefit of the world but for *parts* of the good of the world, namely the benefit of individuals. And on these occasions the thoughts of the most virtuous man need not go beyond the particular persons concerned, except to the extent that he has to assure himself that in benefiting those individuals he is not violating the rights (i.e. the legitimate and authorised expectations) of anyone else. According to the utilitarian ethics the object of virtue is to multiply happiness; for any person (except one in a thousand) it is only on exceptional occasions that he has it in his power to do this on an extended scale, i.e. to be a public benefactor; and it is only on these occasions that he is called upon to consider public utility; in every other case he needs to attend only to private utility, the interest or happiness of some few persons. The only people who need to concern themselves regularly about so large an object as *society in general* are those few whose actions have an influence that extends that far. Thoughts about the *general* welfare do have a place in everyone's moral thinking in

the case of *refrainings*—things that people hold off from doing, for moral reasons, though the consequences in the particular case might be beneficial. The thought in these cases is like this: ‘If I acted in that way, my action would belong to a class of actions which, if practised generally, would be generally harmful, and for that reason I ought not to perform it.’ It would be unworthy of an intelligent agent not to be consciously aware of such considerations. But the amount of regard for the public interest implied in this kind of thought is no greater than is demanded by every system of morals, for they all demand that one refrain from anything that would obviously be pernicious to society; so there is no basis here for a criticism of utilitarianism in particular.

Is Utilitarianism Chilly?

The same considerations dispose of another reproach against the doctrine of utility, based on a still grosser misunderstanding of the purpose of a standard of morality and of the very meanings of the words ‘right’ and ‘wrong’. It is often said that utilitarianism makes men cold and unsympathising; that it chills their moral feelings towards individuals; that it makes them attend only to the dry and hard consideration of the consequences of actions, leaving out of their moral estimate the personal qualities from which those actions emanate.

If this means that they do not allow their judgment about the rightness or wrongness of an action to be influenced by their opinion of the qualities of the person who does it, this is a complaint not against utilitarianism but against having any standard of morality at all; for certainly no known ethical standard declares that an action is good or bad because it is done by a good or a bad man, still less because it is done by a lovable, brave or benevolent man, or by an unfriendly, cowardly or unsympathetic one. These considerations of personal virtue are relevant to how we estimate *persons*, not *actions*; and the utilitarian theory in no way conflicts with the fact that there are other things that interest us in persons besides the rightness and wrongness of their actions. The Stoics, indeed, with the paradoxical misuse of language which was part of their system and by which they tried to raise themselves to a level at which their only concern was with *virtue*, were fond of saying that he who has virtue has everything; that it is the virtuous man, and *only* the virtuous man, who is rich, is beautiful, is a king. But the utilitarian doctrine does not make any such claim on behalf of the virtuous man. Utilitarians are

well aware that there are other desirable possessions and qualities besides virtue, and are perfectly willing to allow to all of them their full worth. They are also aware that a right action does not necessarily indicate a virtuous character, and that actions that are blamable often come from personal qualities that deserve praise. When this shows up in any particular case, it modifies utilitarian's estimation not of the act but of the agent. They do hold that in the long run the best proof of a good character is good actions; and they firmly refuse to consider any mental disposition as good if its predominant tendency is to produce bad conduct. This, which I freely grant, makes utilitarians unpopular with many people; but this is an unpopularity that they must share with everyone who takes seriously the distinction between right and wrong; and the criticism is not one that a conscientious utilitarian need be anxious to fend off.

If the objection means only this:

Many utilitarians look on the morality of actions, as measured by the utilitarian standard, in too exclusive a manner, and do not put enough emphasis on the other beauties of character that go towards making a human being lovable or admirable,

this may be admitted. Utilitarians who have cultivated their moral feelings but not their sympathies or their artistic perceptions *do* fall into this mistake; and so do all other moralists under the same conditions. What can be said in excuse of other moralists is equally available for utilitarians, namely that if one is to go wrong about this, it is better to go wrong on that side, rather than caring about lovability etc. and ignoring the morality of actions. As a matter of fact, utilitarians are in this respect like the adherents of other systems: there is every imaginable degree of rigidity and of laxity in how they apply their standard of right and wrong : some are puritanically rigorous, while others are as forgiving as any sinner or sentimentalist could wish! But on the whole, a doctrine that highlights the interest that mankind have in the repression and prevention of conduct that violates the moral law is likely to do as good a job as any other in turning the force of public opinion against such violations. It is true that the question 'What *does* violate the moral law?' is one on which those who recognise different standards of morality are likely now and then to differ. But *that* is not a point against utilitarianism; difference of opinion on moral questions wasn't first introduced into the world by utilitarianism! And that doctrine

does supply a tangible and intelligible way—if not always an easy one—of deciding such differences.

Utilitarianism as ‘Godless’

It may be worthwhile to comment on a few more of the common misunderstandings of utilitarian ethics, even those that are so obvious and gross that it might appear impossible for any fair and intelligent person to fall into them. It might *appear* impossible but unfortunately it *is not*: the crudest misunderstandings of ethical doctrines are continually met with in the deliberate writings of persons with the greatest claims both to high principle and to philosophy. That is because people—even very able ones—often take little trouble to understand the likely influence of any opinion against which they have a prejudice, and are unaware of this deliberate ignorance as a defect. We quite often hear the doctrine of utility denounced as a godless doctrine. If this mere *assumption* needs to be replied to at all, we may say that the question depends on what idea we have formed of the moral character of the Deity. If it is true that God desires the happiness of his creatures above all else, and that this was his purpose in creating them, then utilitarianism, far from being a godless doctrine, is the most deeply religious of them all. If the accusation is that utilitarianism does not recognise the *revealed* will of God as the supreme law of morals, I answer that a utilitarian who believes in the perfect goodness and wisdom of God has to believe that whatever God has thought fit to reveal on the subject of morals must fulfil the requirements of utility in a supreme degree. Others besides utilitarians have held this:

The Christian revelation was intended (and is fitted) to bring into the hearts and minds of mankind a spirit that will enable them to find *for themselves* what is right, and incline them to do right when they have found it; rather than to tell them—except in a very general way—what it is. And we need a doctrine of ethics, carefully followed out, to know what the will of God is.

We need not discuss here whether this is right; because whatever aid religion—either natural or revealed—can provide to ethical investigation is as open to the utilitarian moralist as to any other. He is as entitled to cite it as God’s testimony to the usefulness or hurtfulness of a course of action as others are to cite it as pointing to a transcendental law that has no connection with usefulness or happiness.

Expediency

Again, utilitarianism is often slapped down as an immoral doctrine by giving it the name ‘Expediency’, and taking advantage of the common use of that term to contrast it with ‘Principle’. But when ‘expedient’ is opposed to ‘right’, it usually means *what is expedient for the particular interest of the agent himself*, as when a high official sacrifices the interests of his country in order to keep himself in place. When it means anything better than this, it means *what is expedient for some immediate temporary purpose, while violating a rule whose observance is much more expedient*. The ‘expedient’ in *this* sense, instead of being the same thing as the useful, is a branch of the hurtful. For example, telling a lie would often be *expedient* for escaping some temporary difficulty or getting something that would be immediately useful to ourselves or others. But (1) the principal support of all present social well-being is people’s ability to trust one another’s assertions, and the lack of that trust does more than anything else to keep back civilisation, virtue, everything on which human happiness on the largest scale depends. Therefore (2) the development in ourselves of a sensitive feeling about truthfulness is one of the most useful things that our conduct can encourage, and the weakening of that feeling is one of the most harmful. Finally, (3) any deviation from truth—even an unintentional one—does something towards weakening the trustworthiness of human assertion. For these reasons we feel that (4) to obtain an immediate advantage by violating such an overwhelmingly expedient rule is *not expedient*, and that someone who acts in that way does his bit towards depriving mankind of the good, and inflicting on them the harm, involved in the greater or less reliance that they can place in each other’s word, thus acting as though he were one of mankind’s worst enemies. Yet all moralists agree that even this rule about telling the truth, sacred as it is, admits of possible exceptions. The chief one is the case where the withholding of some fact from someone would save an individual (especially someone other than oneself) from great and undeserved harm, and the only way of withholding it is to lie about it. (Examples: keeping information about the whereabouts of a weapon from a malefactor, keeping bad news from a person who is dangerously ill.) But in order that this exception to the truth-telling rule does not extend itself beyond the need for it, and has the least possible effect of weakening reliance on truth-telling, it ought to be *recognised*, and if possible its limits should be defined; and if the principle of utility is good for anything, it must be good for weighing these

conflicting utilities against one another, and marking out the region within which one or the other dominates.

Time to Calculate?

Again, defenders of utility often find themselves challenged to reply to such objections as this: 'Before acting, one does not have *time* to calculate and weigh the effects on the general happiness of any line of conduct.' This is just like saying: 'Before acting, one does not have time on each occasion to read through the Old and New Testaments; so it is impossible for us to guide our conduct by Christianity.' The answer to the objection is that *there has been plenty of time*, namely, the whole past duration of the human species. During all that time, mankind have been learning by experience what sorts of consequences actions are apt to have, this being something on which all the morality of life depends, as well as all the prudence. The objectors talk as if the start of this course of experience had been put off until now, so that when some man feels tempted to meddle with the property or life of someone else he has to start at that moment considering *for the first time* whether murder and theft are harmful to human happiness! Even if that were how things stand, I do not think he would find the question very puzzling.

If mankind were agreed in considering utility to be the test of morality, they would *of course*—it would be merely fanciful to deny it—reach some agreement about what is useful, and would arrange for their notions about this to be taught to the young and enforced by law and opinion. Any ethical standard whatever can easily be 'shown' to work badly if we suppose *universal idiocy* to be conjoined with it! But on any hypothesis short of that, mankind must by this time have acquired positive beliefs as to the effects of some actions on their happiness; and the beliefs that have thus come down to us from the experience of mankind are *the rules of morality* for the people in general—and for the philosopher until he succeeds in finding something better. I admit, or rather I strongly assert, that philosophers might easily find something better, even now, on many subjects; that the accepted code of ethics is not God-given; and that mankind have still much to learn about how various kinds of action affect the general happiness.

The corollaries from the principle of utility, like the rules of every practical art, can be improved indefinitely, and while the human mind is progressing they are constantly improving.

But to consider the intermediate rules of morality as unprovable is one thing; to pass over them entirely, trying to test each individual action directly by the first principle, is another. It is a strange notion that having a first principle is inconsistent with having secondary ones as well. When you tell a traveller the location of the place he wants to get to, you are not forbidding him to use landmarks and direction-posts along the way! The proposition that *happiness is the end and aim of morality* does not mean that no road ought to be laid down to that goal, or that people going to it shouldn't be advised to take one direction rather than another. Men really ought to stop talking a kind of *nonsense* on this subject—nonsense that they wouldn't utter or listen to with regard to any other practically important matter. Nobody argues that the art of navigation is not based on astronomy because sailors cannot wait to calculate the Nautical Almanack. Because they are rational creatures, sailors go to sea with the calculations already done; and *all* rational creatures go out on the sea of life with their minds made up on the common questions of *right and wrong*, as well as on many of the much harder questions of *wise and foolish*. And we can presume that they will continue to do so long as foresight continues to be a human quality. Whatever we adopt as the fundamental principle of morality, we need subordinate principles through which to apply it; the absolute need for them is a feature of *all* moral systems, so it does not support any argument against any one system in particular. To argue solemnly in a manner that presupposes this:

No such secondary principles can be had; and mankind never did and never will draw any general conclusions from the experience of human life is as totally absurd, I think, as anything that has been advanced in philosophical controversy.

Bad Faith

The remainder of the standard arguments against utilitarianism mostly consist in blaming it for the common infirmities of human nature and the general difficulties that trouble conscientious persons when they are shaping their course through life. We are told that a utilitarian will be apt to make his own particular case an exception to moral rules; and that when he is tempted to do something wrong he will see more utility in doing it than in not doing it. But is utility the only morality that can provide us with excuses for evil doing, and means of cheating our own conscience? Of course not! Such excuses are provided in abundance by all doctrines that recognise the existence of

conflicting considerations as a fact in morals; and this *is* recognized by every doctrine that any sane person has believed. It is the fault not of any creed but of the complicated nature of human affairs that rules of conduct cannot be formulated so that they require no exceptions, and hardly any kind of action can safely be stated to be either always obligatory or always condemnable. *Every* ethical creed softens the rigidity of its laws by giving the morally responsible agent some freedom to adapt his behaviour to special features of his circumstances; and under every creed, at the opening thus made, self-deception and dishonest reasoning get in. *Every* moral system allows for clear cases of conflicting obligation. These are real difficulties, knotty points both in the theory of ethics and in the practical personal matter of living conscientiously. In practice they are overcome, more or less successfully, according to the person's intellect and virtue; but it cannot be claimed that having an ultimate standard to which conflicting rights and duties can be referred will make one *less* qualified to deal with them! If utility is the basic source of moral obligations, utility can be invoked to decide between obligations whose demands are incompatible. The utility standard may be hard to apply, but it is better than having no standard. In other systems, the moral laws all claim independent authority, so that there's no common umpire entitled to settle conflicts between them; when one of them is claimed to have precedence over another, the basis for this is little better than sophistry, allowing free scope for personal desires and preferences (unless the conflict is resolved by the unadmitted influence of considerations of utility). It is only in these cases of conflict between secondary principles that there is any need to appeal to first principles. In every case of moral obligation some secondary principle is involved; and if there is only one, someone who recognizes that principle can seldom be in any real doubt as to which one it is.

Chapter 3: What will motivate us to obey the principle of utility?

The question is often asked, and it is a proper question in relation to any supposed moral standard,

What is its sanction?

What are the motives to obey it? or more specifically,

What is the source of its obligation? Where does it get its binding force from?

It is a necessary part of moral philosophy to provide the answer to this question. It often takes the shape of an objection to the utilitarian morality in particular, as though it were specially applicable to that; but really it arises in regard to *all* standards. It arises, in fact, whenever someone is called on to adopt a standard that is new to him, or to put morality on some basis on which he hasn't been accustomed to rest it. The only morality that presents itself to the mind with the feeling of being *in itself obligatory* is the customary morality, the one that education and opinion have consecrated; and when a person is asked to believe that *this* morality derives its obligation from some general principle around which custom has not thrown the same halo, he finds the demand paradoxical; the supposed corollaries seem to have a more binding force than the original theorem; the superstructure seems to stand better without its supposed foundation than with it. He says to himself, 'I feel that I am bound not to rob or murder, betray or deceive; but why am I bound to promote the general happiness? If my own happiness lies in something else, why may I not give *that* the preference?'

If the utilitarian philosophy's view of the nature of the moral sense is correct, this difficulty will always present itself, until the influences that form moral character have taken the same hold of the principle that they have taken of some of its consequences. That will be the time when the improvement of education brings about something that Christ certainly intended should come about, namely that the feeling of unity with our fellow-creatures should be as deeply rooted in our character, and feel to us to be as completely a part of our nature as the horror of crime is in an ordinarily well brought up young person. While we are waiting for that day to come, the difficulty has no special application to the doctrine of utility, but is inherent in every attempt to analyse morality and organize it under principles. Unless the first principle already has in men's minds as much sacredness as any of its applications,

this process always seems to deprive the applications of a part of their sanctity.

The principle of utility either has, or perfectly well *could* have, all the sanctions that belong to any other system of morals. Those sanctions are either external or internal. I needn't spend long on the external sanctions. They are the hope of favour and the fear of displeasure from our fellow creatures or from the ruler of the universe, and also whatever sympathy or affection we may have for them, or whatever love and awe we may have towards Him, inclining us to do what they want or what He wants, independently of selfish consequences.

Obviously there is no reason why all these motives for conforming to moral principles shouldn't attach themselves to the utilitarian morality as completely and as powerfully as to any other. Indeed, the motives that refer to our fellow creatures are *sure* to do so, insofar as people are intelligent enough to make the connection. Here is why. Whether or not there is any basis of moral obligation other than the general happiness, men *do* want happiness; and however imperfect a particular person's conduct may be, he *does* desire and commend all conduct by others that promotes *his* happiness. With regard to the religious motive: if men believe in the goodness of God (as most of them say they do), those who think that conduciveness to the general happiness is the *essence* of good, or even just the *criterion* of good, must believe that general happiness is also what God approves. So the whole force of external reward and punishment, whether physical or moral and whether coming from God or from our fellow men, together with everything that human nature is capable of in the way of disinterested devotion to God or to man, become available as sanctions to enforce obedience to the utilitarian morality, in proportion as that morality is recognised. And the more the techniques of education and general cultivation are put to work on this, the stronger the sanctions will be.

That is enough about external sanctions. The internal sanction of duty is one and the same, whatever our standard of duty may be. It is a feeling in our own mind, a more or less intense pain that comes with violations of duty; and in properly cultivated moral natures it rises in the more serious cases into shrinking from the violation as an impossibility. When this feeling is disinterested, and connected with the pure idea of *duty* and not with some particular form of it or with

any of the merely accessory circumstances, it is the essence of *conscience*; though in that complex phenomenon as it actually exists the simple fact of pure conscience is usually all encrusted over with associated feelings derived from sympathy, from love and even more from fear; from all the forms of religious feeling; from memories of childhood and of all our past life; from self-esteem, desire for the esteem of others, and occasionally even self-abasement.

It seems to me that this extreme complicatedness is the origin of the sort of *mystical* character which is apt to be attributed to the idea of moral obligation and which leads people to think that the idea of moral obligation cannot possibly attach itself to any objects except the ones that, by a supposed mysterious law, are found in our present experience to arouse it. Its binding force, however, consists in the existence of a *mass of feeling* that must be *broken through* in order to do what violates our standard of right; and if we *do* nevertheless violate that standard, the feelings will probably have to be encountered afterwards in the form of remorse. Whatever theory we have of the nature or origin of conscience, this is what it essentially consists of.

Since the ultimate sanction of all morality (external motives apart) is a subjective feeling in our own minds, I see nothing awkward for the utilitarian in the question 'What is the sanction of the utilitarian standard?' We can answer, 'It is the same as of all other moral standards—namely the conscientious feelings of mankind.' Undoubtedly this sanction has no binding force for those who do not have the feelings it appeals to; but *these* people won't be more obedient to any other moral principle than to the utilitarian one. *No* morality of any kind has any hold on them except through external sanctions. Meanwhile the feelings do exist, a fact in human nature; and experience shows that they are real and that they can act with great power on people in whom they have been duly developed. No reason has ever been shown why they cannot be developed to as great intensity in connection with the utilitarian rule of morals as with any other.

I realize that some people are inclined to believe that a person who sees in moral obligation a transcendental fact, an objective reality belonging to the province of 'things in themselves' is likely to be more obedient to moral obligation than one who believes it to be entirely subjective, being rooted purely in

human consciousness.

But whatever a person's opinion may be on this metaphysical point, the force he is *really* urged by is his own subjective feeling, and the power of the force is exactly measured by the strength of the feeling. No-one's belief that duty is an objective reality is stronger than the belief that God is an objective reality; yet the *belief* in God, apart from the expectation of actual reward and punishment, operates on conduct only through the subjective religious *feeling*, and the power of the operation is proportional to the strength of the feeling. The sanction, so far as it is disinterested, is always in the mind itself; so the thought of the transcendental moralists I am discussing must be this:

This sanction won't exist *in* the mind unless it is believed to have its root *outside* the mind. If a person can say to himself 'What is now restraining me—what is called my *conscience*—is only a feeling in my own mind', he may draw the conclusion that when the feeling ceases the obligation also ceases, and that if he finds the feeling inconvenient he may disregard it and try to get rid of it.

But is this danger confined to the utilitarian morality? Does the belief that moral obligation has its seat outside the mind make the feeling of it too strong for you to get rid of it? The facts are otherwise—so much so that *all* moralists admit and lament how easy it is for conscience to be silenced or stifled in most people's minds. People who never heard of the principle of utility ask themselves 'Need I obey my conscience?' just as often as do utilitarians. Those whose conscientious feelings are so weak as to allow them to ask this question, if they answer 'Yes' they will do so not because they believe in the transcendental theory but because of the external sanctions.

It is not necessary for present purposes to decide whether the feeling of duty is innate or implanted [i.e. whether it is part of our natural birthright or is acquired along the way through education or whatever]. Assuming it to be innate, the question remains as to what duties the feeling naturally attaches itself to; for the philosophic supporters of the innateness theory are now agreed that what is given to us innately —what we have an intuitive perception of—is the principles of morality and not its details. If there is anything innate in all this, I do not see why the feeling that is innate shouldn't be the feeling of concern for

the pleasures and pains of others. If *any* principle of morals is intuitively obligatory, I should say it must be *that* one. If so, intuitive innatist ethics would coincide with utilitarian ethics, and there would be no further quarrel between them. Even as things stand, although the intuitive moralists believe that there are other intuitive moral obligations, they do already believe that this—the obligation to seek the welfare of others—is one; for they all hold that a large portion of morality turns on the consideration that should be given to the interests of our fellow-creatures. So if the belief in the transcendental origin of moral obligation *does* give any additional force to the internal sanction, it appears to me that the utilitarian principle already has the benefit of it.

On the other hand, if the moral feelings are not innate but acquired (as I think they are), that does not make them any less *natural*. It is natural for man to speak, to reason, to build cities, to cultivate the ground, though these are acquired abilities. The moral feelings are indeed not ‘a part of our nature’ in the sense of being detectably present in all of us; but this is a sad fact admitted by the most strenuous believers in the transcendental origin of those feelings. Like the other acquired capacities I have referred to, the moral faculty, if not a part of our nature, is a natural outgrowth from it. Like them, it can to a certain small extent spring up spontaneously and can be brought by cultivation to a high degree of development. Unfortunately, it can —by a sufficient use of external sanctions and of the force of early impressions—be cultivated *in almost any direction*; so that there is hardly anything so absurd or so mischievous that these influences cannot make it act on the human mind with all the authority of conscience. To doubt that the same power might be given by the same means to the principle of utility, even if it had no foundation in human nature, would be flying in the face of all experience.

But while the culture of the intellect continues, purely artificial moral associations gradually give way through the dissolving force of *analysis*. If this were the case: The feeling of duty when associated with utility seems as arbitrary as any of those others; There is no prominent part of our make-up, no powerful class of feelings, with which that association harmonizes, making us feel it as congenial and inclining us not only to encourage it in others (for which we have abundant self-interested motives), but also to value it in ourselves; in short:

Utilitarian morality has no *natural* basis in our feelings—in

that case it might well happen that this association of duty with utility was analysed away, even after it had been implanted by education. But there *is* this basis of powerful natural sentiment; and this will constitute the *strength* of the utilitarian morality once general happiness is recognised as the ethical standard. This firm foundation is that of the social feelings of mankind; the desire to be in unity with our fellow creatures. It is already a powerful force in human nature, and fortunately one of those that tend to be made stronger—even without being explicitly taught—by the influences of advancing civilisation. The *social* state is at once so natural, so necessary and so habitual to a man that, except in some unusual circumstances or an effortful thought-experiment, he never thinks of himself as anything but a member of a group; and this association becomes stronger and stronger as mankind moves further from the state of savage independence. Thus, any condition that is essential to a state of society becomes more and more an inseparable part of each person's conception of *the state of things that he is born into and that is the destiny of a human being*.

Now society between human beings—except in the relation of master to slave—is obviously impossible on any other basis than that *the interests of all are to be consulted*. Society between equals can only exist on the understanding that the interests of all are to be regarded equally. And since in all states of civilisation every person except an absolute monarch has equals, everyone is obliged to live on these terms with *somebody*; and in every age some advance is made towards a state in which it will be impossible to live permanently with *anybody* except on terms of equality. In this way people grow up unable to think of a state of total disregard of other people's interests as one they could possibly live in. They *have to* conceive of themselves as at least refraining from all the most harmful crimes and (if only for their own protection) living in a state of constant protest against them. They are also familiar with the fact of co-operating with others and of acting (at least for the time being) in the interests of a group rather than of themselves as individuals. So long as they are co-operating, their purposes are identified with those of others; there is at least a temporary feeling that the interests of others are their own interests. All strengthening of social ties and all healthy growth of society gives to each individual a stronger personal interest in acting with regard for the welfare of others; and it also leads him to identify his feelings more and

more with their good, or at least with an even greater degree of concern for it in his actions. He comes, as though instinctively, to be conscious of himself as a being who pays regard to others as a matter of course. The good of others becomes to him a thing *naturally and necessarily* to be attended to, like any of the physical conditions of our existence. Now, however much or little of this feeling a person has, he has the strongest motives both of self-interest and of sympathy to *express this feeling in his behaviour*, and to do all he can to encourage it in others; and even if *he* has none of it himself, it is as much in his interests as in anyone else's that *others* should have it. Consequently the smallest seeds of the feeling are laid hold of and nourished by the contagion of sympathy and the influences of education; and a complete web of supporting association is woven around it by the powerful force of the external sanctions.

As civilisation goes on, this way of thinking about ourselves and about human life is increasingly felt to be natural. Every step in political improvement makes it more so, by removing the sources of conflicts of interest, and removing the inequalities in legal status between individuals or classes, because of which it is still practicable to disregard the happiness of large portions of mankind.

As the human mind improves, there is a steady increase in the influences that tend to generate in each individual a feeling of unity with all the rest; a feeling which in its perfect state would make him never think of or want any benefit for himself if it did not also involve benefits for all the rest. Now suppose *this* were the case:

This feeling of unity is taught as a religion. The whole force of education, of institutions and of opinion is directed—as it used to be in the case of religion—to making every person grow up from infancy surrounded on all sides both by people who have the feeling of unity, who say they have it, and who act on it.

I do not think that anyone who can realize this conception will have any doubts about the sufficiency of the ultimate sanction for the happiness morality. To any student of ethics who finds the realization difficult, I recommend that he get help from the second of M. Comte's two principal works, the *Traité de politique positive*. I have the strongest objections to the system of politics and morals presented in that book; but I think it has

more than adequately shown the possibility of giving to *the service of humanity*, even without help from a belief in God, both the psychological power and the social effectiveness of a religion; and making it take hold of human life and colour all thought, feeling and action far more thoroughly than any religion has ever done; the danger being not that it might be insufficient but that it might be so excessive as to interfere unduly with human freedom and individuality.

This feeling of unity that constitutes the binding force of the utilitarian morality on those who accept it does not have to wait until everyone has it. It is true that in the comparatively early state of human advancement in which we now live, a person cannot feel such *total* sympathy with everyone else that he *could not* do anything that would work against their interests; but even now a person in whom the social feeling is *at all* developed cannot bring himself to think of the rest of his fellow creatures as struggling rivals with him for the means of happiness, rivals whom he must want to see defeated in their aims so that he can succeed in his. The deeply rooted conception that every individual has of himself as a social being, even now, tends to make him feel it as *one of his natural wants* that his feelings and aims should harmonize with those of his fellow creatures. (If differences of opinion and of mental culture make it impossible for him to share many of their actual feelings—perhaps even make him denounce and defy those feelings—he still needs to be aware that his *real* aim does not conflict with theirs, and that he is not opposing but promoting what they *really* wish for, namely their own good.) In most individuals this feeling of unity is much weaker than their selfish feelings, and is often entirely lacking. But to those who have it, it bears all the marks of a natural feeling. It does not present itself to their minds as a superstition they were brought up in or a law forced on them by the power of society, but as an attribute that it would be bad for them to lack. *This conviction is the ultimate sanction of the greatest happiness morality.* It is this that makes any mind with well-developed feelings work with rather than against the outward motives to care for others, the motives provided by what I have called ‘the external sanctions’; and when those sanctions are absent or act in an opposite direction, constitutes in itself an internal binding force that is strong in proportion to the sensitiveness and thoughtfulness of the person’s character. Apart from people whose mind is a moral blank, few could bear to lay out their

course of life on the plan of paying no regard to others except in ways that would serve their own interests.

Chapter 4: What sort of proof can be given for the principle of utility?

I have already remarked that questions of ultimate ends do not admit of 'proof' in the ordinary meaning of that term. It is true of all first principles—the first premises of our knowledge, as well as those of our conduct—that they cannot be proved by reasoning. But the first principles of our knowledge, being matters of fact, can be the subject of a direct appeal to the faculties that make judgments of fact—namely our outer senses and our internal consciousness. Can an appeal be made to those same faculties on questions of practical ends? If not, what *other* faculty is used for us to know them?

Questions about ends are, in other words, questions what things are *desirable*. The utilitarian doctrine is that happiness is desirable as an end, and is the only thing that is so; anything else that is desirable is only desirable as means to that end. What should be required regarding this doctrine—what conditions must it fulfil—to justify its claim to be believed?

The only proof capable of being given that an object is visible is that people actually see it. The only proof that a sound is audible is that people hear it; and similarly with the other sources of our experience. In like manner, I apprehend, the sole evidence it is possible to produce that anything is desirable is that people do actually desire it. If happiness, the end that the utilitarian doctrine proposes to itself, were not acknowledged in theory and in practice to be an end, nothing could ever convince any person that it was an end. No reason can be given why the general happiness is desirable, except the fact that each person desires his own happiness, so far as he thinks it is attainable.

But this *is* a fact; so we have not only all the proof there could be for such a proposition, and all the proof that could possibly be demanded, that happiness is a good, that each person's happiness is a good to that person, and therefore that general happiness is a good to the aggregate of all persons.

Happiness has made good its claim to be one of the ends of conduct, and consequently one of the criteria of morality.

But this alone does not prove it to be the *sole* criterion. To

prove that in the same way, it seems, we would have to show not only that people desire happiness but that they never desire anything else. Now it is obvious that they do desire things that common language sharply distinguishes from happiness. For example, they desire virtue and the absence of vice, and this desire is just as *real* as their desire for pleasure and the absence of pain. The desire for virtue is not as universal as the desire for happiness, but it is just as authentic a *fact* as the other. So the opponents of the utilitarian standard think they have a right to infer that there are *other* ends of human action besides happiness, and that happiness is not the standard for approval and disapproval. But *does* the utilitarian doctrine deny that people desire virtue, or maintain that virtue is not something to be desired? Quite the contrary! It maintains not only that virtue is to be desired, but further that virtue is to be desired disinterestedly, for itself. Utilitarian moralists believe that actions and dispositions are virtuous only because they promote an end other than virtue; and that it is on this basis that we decide *what* is virtuous. But set all that aside; it is still open to the utilitarians to place virtue at the very head of the things that are good as means to the ultimate end. They also recognise as a psychological fact that an individual could regard virtue as a good in itself, without looking to any end beyond it; and they hold this:

The mind is not in a right state, not in a state consistent with utility, not in the state most conducive to the general happiness, unless it *does* love virtue in this manner—as something that is desirable in itself even when, in the particular case, it wouldn't produce those other desirable consequences that it tends in general to produce.

This opinion does not depart in the slightest from the happiness principle. The *ingredients* of happiness are very various, and each of them is desirable in itself and not merely when considered as adding to some total. The principle of utility does not mean that any given pleasure (music, for instance) and any given freedom from pain (good health, for instance) is to be looked on only as a *means* to a collective something called 'happiness', and to be desired only on that account. They are desired and desirable in and for themselves; besides being *means to* the end they are also *a part of it*. Well, according to the utilitarian doctrine, virtue is not naturally and originally part of the end (happiness) but it is capable of *becoming* so; and in those who

unselfishly love it virtue *has* become so, and is desired and cherished not as a means to happiness but as a part of their happiness.

To illustrate this further, let us consider something else that is like virtue in the respect I have been discussing. That is, something of which this is true:

It was originally a means to something that is desired, and if it weren't a means to anything else it would be of no interest to anyone; but by association with what it is a means to it comes to be desired for itself, and indeed desired with the utmost intensity.

What I have in mind is *money*. There is nothing intrinsically more desirable about money than about any heap of glittering pebbles. Its value is solely the value of the things that it will buy; the desire for it is the desire for other things that it can lead to. Yet the love of money is not only one of the strongest moving forces of human life, but many people desire money in and for itself; the desire to *have* it is often stronger than the desire to *use* it, and goes on getting stronger even when the person is losing all the desires that point to ends to which money might be a means. So it is true to say that money is desired not for the sake of an end but as part of the end. From being a means to happiness it has come to be itself a principal ingredient of the individual's conception of happiness. The same may be said of most of the great objects of human life—power, for example, or fame; except that each of these brings a certain amount of immediate pleasure, which at least *seems* to be naturally inherent in them, whereas nothing like that can be said about money. Still, the strongest natural attraction of power and of fame is the immense aid they give to the attainment of our other wishes; this generates a strong association between them and all our objects of desire; and that association gives to the direct desire for power or fame the intensity it often has, so that in some people it is stronger than all other desires. In these cases the means have become a *part* of the end, and a more important part of it than any of the things that they are means to. What was once desired as a help towards getting happiness has come to be desired for its own sake—as a part of happiness. The person is made, or thinks he would be made, happy by merely having power or fame, and is made unhappy by failure to get it. The desire for it is not a different thing from the desire for happiness, any more than is the love of music or the desire for health. They are included in

happiness. They are some of the elements of which the desire for happiness is made up. Happiness is not an abstract idea, but a concrete whole; and these are some of its parts. And the utilitarian standard allows and approves of their being so. Life would be a poor thing, very poorly provided with sources of happiness, if nature did not arrange for this way in which things that are intrinsically indifferent, but lead to or are otherwise associated with the satisfaction of our basic desires, become in themselves sources of pleasure more valuable than the basic pleasures—more permanent and more intense.

Virtue, according to the utilitarian conception, is a good of this description. Originally the only reason for wanting it was its conduciveness to pleasure and especially to protection from pain. But this created an association of virtue with pleasure and absence of pain, and through this association virtue can be felt to be a good in itself, and can be desired as such with as much intensity as any other good. The desire for virtue differs from the love of money, of power, of fame, in this: those three can and often do make the person noxious to the other members of the society to which he belongs, whereas the disinterested love of virtue makes him a blessing to them—nothing more so! And so the utilitarian standard, while it tolerates and approves those other acquired desires up to the point beyond which they would do more harm than good to the general happiness, demands the cultivation of the love of virtue up to the greatest strength possible because it is more important than anything else to the general happiness.

The upshot of the preceding lines of thought is that really nothing is desired except happiness. Anything that is desired otherwise than as a means to some end beyond itself (and ultimately a means to happiness) is desired as being itself a *part* of happiness, and it is not desired for itself until it has become so. Those who desire virtue for its own sake desire it either because a person's awareness of his virtue is a pleasure, or because his awareness of his not being virtuous is a pain, or for both reasons united. For the fact is that this pleasure and pain seldom exist separately, but almost always together: one person feels pleasure at the degree of virtue he has achieved, and pain at not having achieved more. If one of these gave him no pleasure, and the other no pain, he wouldn't love or desire virtue, or would desire it only for the other benefits that it might produce for himself or for persons whom he cared for. So now

we have an answer to the question: What sort of proof can be given for the principle of utility? If the opinion that I have now stated is psychologically true —if human nature is so constituted that we desire nothing that is not either a part of happiness or a means to it—we cannot have and do not need any other proof that these are the only desirable things. If so, happiness is the only end of human action, and the promotion of it is the test by which to judge *all human conduct*; from which it necessarily follows that it must be the criterion of *morality*, since a part is included in the whole.

Is this really so? *Do* human beings desire nothing for itself except that which is a pleasure to them or that whose absence is a pain? We are now confronted by a question of fact and experience, which like all such questions depends on *evidence*. It can only be answered by practised self-awareness and self-observation, assisted by observation of others. I believe that when these sources of evidence are consulted without any bias, they will declare that desiring a thing and finding it pleasant, are entirely inseparable phenomena, or rather they are two parts of the same phenomenon, and that the same is true of aversion to a thing and thinking of it as painful. Strictly speaking, they are two different ways of naming the same psychological fact; to think of an object as desirable (unless as a means) and to think of it as pleasant are one and the same thing; and it is a physical and metaphysical impossibility to desire anything except in proportion as the idea of it is pleasant.

This seems to me to be so obvious that I expect it will hardly be disputed. The objection that will be made is not that desire could be ultimately directed to something other than pleasure and freedom from pain, but that *the will* is a different thing from *desire*; and a solidly virtuous person or any other person whose purposes are fixed carries out his purposes without any thought of the pleasure he has in contemplating them or expects to get from their fulfilment; and he persists in acting on his purposes even if these pleasures are greatly lessened by changes in his character or the weakening of his passive sensibilities (i.e. his desires), or are outweighed by the pains that the pursuit of his purposes may bring on him.

All this I fully admit, and have stated it elsewhere as positively and emphatically as anyone. *Will* is an active phenomenon, and is a different thing from *desire*, which is the state of passive sensibility. Though originally an offshoot

from *desire*, *will* can in time take root and detach itself from the parent stock; so much so that in the case of an habitual purpose, instead of willing the thing because we desire it we often desire it only because we will it. But this is merely an instance of a familiar phenomenon, namely *the power of habit*, and is not at all confined to the case of virtuous actions. (1) Many indifferent things that men originally did from a motive of some sort they continue to do from habit. Sometimes this is done unconsciously, with the person becoming aware of it only after the action; at other times it is done with conscious volition, but volition that has become habitual and is put into operation by the force of habit. (2) This may be in opposition to the person's deliberate preference, as often happens with those who have acquired habits of vicious or hurtful self-indulgence. (3) Or it may be that the habitual act of will in the individual instance is not in contradiction to the general intention prevailing at other times but in fulfilment of it.

That's the case for a person of confirmed virtue, and for anyone who deliberately and consistently pursues any definite end. The distinction between will and desire, understood in this way, is an authentic and highly important psychological fact; but the fact consists solely in this—that will, like all every other part of our make-up, is amenable to habit, and that we can will from habit something we no longer desire for itself or desire only because we will it. It is still true that will at the beginning is entirely produced by desire—taking 'desire' to cover the repelling influence of pain as well as the attractive influence of pleasure. Now let us set aside the person who has a confirmed will to do right, and think about the one in whom that virtuous will is still feeble, conquerable by temptation, and not to be fully relied on; how can it be strengthened in him? Where the will to be virtuous does not exist in sufficient force, how can it be implanted or awakened? Only by making the person desire virtue—by making him think of it in a pleasurable light, or of its absence in a painful one. By associating right-doing with pleasure or wrong-doing with pain, or by bringing out and impressing and bringing home to the person's experience the pleasure naturally involved in doing right or the pain in doing wrong, it is possible to call forth that *will to be virtuous* which, when it is firmly built into the person's make-up, acts without any thought of either pleasure or pain. Will is the child of desire, and moves out of the control of its parent only to come under the control of habit. Something's being a result of habit does not count

towards its being intrinsically good; and the only reason for wishing that the purpose of virtue should become independent of pleasure and pain by becoming habitual is the fact that the influence of the pleasurable and painful associations that prompt virtuous behaviour cannot be depended on for unerring constancy of action until it has acquired the support of habit. Habit is the only thing that makes patterns of feeling and conduct *certain*; and it is because of the importance to others of being able to rely absolutely on one's feelings and conduct, and the importance of this *to oneself*, that the will to do right should be made to grow into this *habitual independence*—this *independence* from desire that is bought about by *habit*. In other words, this virtuous state of the will is a means to good, not intrinsically a good; and so it does not contradict the doctrine that nothing is a good to human beings except to the extent that it is either itself pleasurable or is a means of getting pleasure or avoiding pain. But if this doctrine is true, the principle of utility is proved. Whether the doctrine *is* true must now be left to the judgment of the thoughtful reader.

Chapter 5: The connection between justice and utility

Down through the ages, one of the strongest objections to the doctrine that utility or happiness is the criterion of right and wrong has been based on the idea of *justice*. The powerful sentiment and apparently clear thought that this word brings to mind, with a rapidity and certainty resembling an instinct, have seemed to the majority of thinkers to point to an inherent quality in things, to show that *what is just* must have an existence in nature as something absolute, fundamentally distinct from every variety of *what is expedient*. The concept of justice (they have thought) conflicts with the concept of *expediency*, though they commonly admit that in the long run justice and expediency go together as a matter of fact.

In the case of this moral sentiment (as of all the others) there is no necessary connection between the question of its origin, and the question of its binding force. That a feeling is bestowed on us by nature does not necessarily mean that we should always do what it prompts us to do. The feeling of justice might be a special instinct (and thus bestowed by nature) and yet need to be

controlled and enlightened by a higher reason, just as all our other instincts do. If we have intellectual instincts that lead us to *think* in a particular way, as well as animal instincts that prompt us to *act* in a particular way, the intellectual ones are not necessarily more infallible in their sphere than the animal ones are in *their* sphere; just as wrong actions can be prompted by the animal instincts, wrong judgments may sometimes be prompted by the intellectual instincts. But although it is one thing to believe that we have natural feelings of justice and another to accept them as an ultimate criterion of conduct, these two opinions are very closely connected in point of *fact*. Mankind are always inclined to think that any subjective feeling that they cannot explain in any other way is a revelation of some objective reality. What we need to do now is to discover whether the reality to which the feeling of justice corresponds is one that needs to be revealed in any such special manner. That is, to discover whether the justice or injustice of an action is a special quality all on its own, and distinct from all the action's other qualities, or rather the justice or injustice of an action is only a combination of certain of those qualities seen or thought about in a special way.

For the purpose of this inquiry it is practically important to consider whether the *feeling* of justice and injustice is *sui generis*—not a special case of something more general—like our sensations of colour and taste (such as something's *tasting sweet*), or rather the *feeling* of justice and injustice is a derivative feeling, formed by a combination of other feelings (comparable with something's *tasting stale*).

It is especially important to look into this; here is why.

(1) People are usually willing enough to agree that objectively—out there in the world—the dictates of *justice* coincide with a part of the field of *general expediency*, i.e. that very often the *just* action is also the action that will be most *expedient* from the point of view of people in general.

(2) But the subjective mental feeling of justice is different from the feeling that commonly goes with simple expediency, and except in the extreme cases of expediency the feeling of justice is far more imperative in its demands. (3) So people find it hard to see justice as only a particular kind or branch of general utility, and they think that its greater binding force requires it to have a totally different origin.

To throw light on this question we must try to find out what it

is that marks off justice, or injustice, as special. (I'll put this in terms of *injustice* because justice, like many other moral attributes, is best defined by its opposite.) When actions are described as 'unjust', is there some one quality that is being attributed to all of them, a quality that marks them off from actions that are disapproved of but are not said to be 'unjust'? If so, what quality is it? If some one common quality (or collection of qualities) is always present in everything that men customarily call 'just' or 'unjust', we can judge whether the general laws of our emotional make-up could enable this particular quality (or combination of qualities) to summon up a sentiment with the special character and intensity of the sentiment of justice or injustice, or whether instead the sentiment of justice or injustice cannot be explained, and must be regarded as something that nature provided independently of its other provisions.

If we find the former to be the case, we shall by answering *this* question have also solved the main problem. If the latter is the case, we'll have to look for some other way of tackling the main problem.

To find the qualities that a variety of objects have in common we must start by surveying the objects themselves in the concrete. Let us therefore turn our attention to the various ways of acting and arrangements of human affairs that are universally or at least widely characterized as 'just' or as 'unjust', taking them one at a time. A great variety of things are well known to arouse the sentiments associated with those names. I shall survey five of them rapidly, not trying to put them in any special order.

It is usually considered unjust to deprive anyone of his personal liberty, his property, or anything else that belongs to him by law. This gives us one instance of the application of the terms 'just' and 'unjust' in a perfectly definite sense, namely: *It is just to respect, and unjust to violate, the legal rights of anyone*. But there are several exceptions to this, arising from the other ways in which the notions of justice and injustice come up. For example, the person who suffers the deprivation may (as they say) have 'forfeited' the rights that he is deprived of. I'll return to this case soon.

The second kind of case will come in the last sentence of this paragraph; a preliminary matter needs to be sorted out first. The

legal rights of which someone is deprived may be rights that he oughtn't to have had in the first place, i.e. the law that gives him these rights may be a bad law. When that *is* so or when (which is the same thing for our purpose) it is *supposed* to be so, opinions will differ as to the justice or injustice of breaking that law. Some maintain that no law, however bad, ought to be disobeyed by an individual citizen; that if the citizen is to show his opposition to it, he should do so only by trying to get the law altered by those who are authorized to do that. This opinion condemns many of the most famous benefactors of mankind, and would often protect pernicious institutions against the only weapons that in the circumstances have any chance of succeeding against them. Those who *have* this opinion defend it on grounds of expediency, relying principally on the importance to the common interests of mankind of preserving unbroken the sentiment of *submission to law*. Other people hold the directly contrary opinion, namely that any law that is judged to be bad may blamelessly be disobeyed, even if it is not judged to be unjust, but only thought to be bad because inexpedient; while others would permit disobedience only to unjust laws; while yet others say that all laws that are inexpedient are unjust, because every law imposes some restriction on the natural liberty of mankind, and this restriction is an injustice unless it is made legitimate by tending to the people's good. Among these differences of opinion this much seems to be universally agreed:

There can be unjust laws; so law is not the ultimate criterion of justice.

A law may give one person a benefit, or impose harm on someone else, which justice condemns. But when a law is thought to be unjust, it seems always to be because it is thought to infringe somebody's right (just as when a breach of law is unjust). Because it is a *law* that is thought to infringe the person's right, this cannot be a *legal* right, so it is labelled differently and is called a 'moral right'. So we can say that a second case of injustice consists in taking or keeping from a person something to which he has a moral right.

It is universally considered *just* that each person should get what he deserves (whether good or evil) and *unjust* that someone should obtain a good or be made to undergo an evil which he does not deserve. This is perhaps the clearest and most emphatic form in which the idea of justice is conceived by people in

general. As it involves the notion of *desert* [= ‘deservingness’], the question arises, *what constitutes desert?* Broadly speaking, a person is understood to *deserve* good if he does right, and to *deserve* evil if he does wrong; and in a more special sense, to deserve good *from* those to whom he does or has done good, and to deserve evil *from* those to whom he does or has done evil. The injunction ‘Return good for evil’ has never been regarded as a case of the fulfilment of justice, but as one in which the claims of justice are set aside in obedience to other considerations.

It is agreed to be unjust to *break faith* with anyone—to fail to do something we have said or clearly implied that we would do, or disappoint expectations raised by our conduct, at least if we knew we were raising them and meant to do so. Like the other obligations of justice I have already spoken of, this one is not regarded as absolute. Rather, it is thought of as capable of being overruled when there is a stronger obligation of justice on the other side, or when the other person has acted in a way that is deemed to clear us of our obligation to him and to constitute a forfeiture of the benefit that he has been led to expect.

Everyone agrees that it is inconsistent with justice to be *partial*—to show favour or preference to one person over another in matters to which favour and preference do not properly apply. But impartiality seems to be regarded not as a duty in itself but rather as a needed part of some other duty; for it is agreed that favour and preference are not always blameworthy, and indeed the cases where they are condemned are the exception rather than the rule. If a person could in some way favour his family or friends over strangers without violating any other duty, he would be blamed rather than applauded for *not* doing so. No-one thinks it unjust to choose one person in preference to another as a friend, a connection, or a companion. Where rights are concerned, impartiality is of course obligatory, but this comes from the more general obligation to give everyone what he has a right to. For example, an arbitration court must be impartial because it is bound to set aside every other consideration and award a disputed item to the one of two parties who has the right to it. In some other cases impartiality means *being solely influenced by desert*; as with the administering of reward and punishments by judges, teachers or parents. In yet other cases impartiality means *being solely influenced by concern for the public interest*, as in making a selection among candidates for a government job. In short, impartiality

considered as an obligation of justice can be said to mean *being influenced only by the considerations that (it is supposed) ought to influence the matter in hand, and resisting the pull of any motives that prompt to conduct different from what those considerations would dictate.*

Closely allied to the idea of impartiality is that of *equality*, which often plays a part in one's thought of justice and in the performance of just actions. Many people think it is the essence of justice. But in this context, even more than in any of the others, the notion of justice varies in different persons, with the variations conforming to their different notions of *utility*, i.e. of what is expedient. Each person maintains that equality is demanded by justice except where he thinks that expediency requires inequality. The justice of giving equal protection everyone's rights is maintained by those who support the most outrageous inequality in what rights people have. Even in slave countries it is theoretically admitted that the rights of the slave, such as they are, ought to be as sacred as those of the master; and that a court that fails to enforce them with equal strictness is lacking in justice; while at the same time social arrangements that leave to the slave scarcely any rights to enforce are not thought unjust because they are not thought to be inexpedient. Those who think that utility requires distinctions of rank do not think it unjust that riches and social privileges should be distributed unequally; but those who think this inequality to be inexpedient think it unjust also. Whoever thinks that government is necessary sees no injustice in whatever inequality is involved in giving to the magistrate powers not granted to other people. Even among those who hold doctrines that advocate abolishing all social distinctions, there are as many questions of justice as there are differences of opinion about expediency. Some communists consider it unjust to share out the products of the community's work in any way except exactly equally; others think it just that those whose wants are greatest should receive most; while others hold that those who work harder or who produce more or whose services are more valuable to the community can justly claim a larger share in the division of the products. And every one of these opinions can plausibly be backed by the sense of natural justice.

Among so many different uses of the term 'justice' (not regarded as an ambiguous word!), it is a little difficult to get hold of the mental link which holds them together and on which the moral sentiment associated with the term essentially depends. Perhaps we may get some help with this puzzle from

the history of the word, as indicated by its etymology.

In most languages, if not in all, the etymology of the word that corresponds to 'just' points distinctly to an origin connected with *law*. [Mill illustrates this with references to Latin, Greek, German and French.] I am not committing the fallacy of assuming that a word must still continue to mean what it originally meant. Etymology is slight evidence of what idea is *now* signified by the word, but it is but the very best evidence of how it arose. I do not think there can be any doubt that the original element in the formation of the notion of justice was the idea of conformity to law.

It constituted the entire idea among the Hebrews, up to the birth of Christianity; as might be expected in the case of a people whose laws tried to cover all subjects on which guidance was required, and who believed those laws to have come directly from God. But other nations (especially the Greeks and Romans), knowing that their laws had originally been made and were still being made *by men*, weren't afraid to admit that those men might make bad laws; that men might lawfully do things... that would be called *unjust* if done by individuals without permission from the law. And so the sentiment of injustice came to be attached not to all violations of law but only to violations of laws that do and ought to exist, violations of non-existent laws that ought to exist, and laws themselves when they are taken to be contrary to what *ought* to be law.

In this way the idea of *law* and of *laws* was still predominant in the notion of justice, even when the laws actually in force ceased to be accepted as the standard of it.

It is true that mankind consider the idea of justice and its obligations as applicable to many things that are not—and that nobody thinks should be—regulated by law. Nobody wants laws to interfere with all the details of private life, yet everyone agrees that in all daily conduct a person may and does show himself to be either just or unjust. But even here the idea of *the breach of what ought to be law* still lingers in a modified form. It would always give us pleasure, and would chime in with our feelings about what is *fit* or appropriate or suitable, if acts that we think unjust were punished, though we do not always think it expedient that this should be done by the courts. We forgo that gratification because of inconveniences that it would bring. We would be glad to see just conduct enforced and injustice

repressed, even in the smallest details of our lives, if we weren't rightly afraid of trusting the officers of the law with such unlimited power over individuals. When we think that a person is *bound in justice* to do a thing, it is an ordinary use of language to say 'He ought to be made to do it'. We would be gratified to see the obligation enforced by anybody who had the power to enforce it. If we see that it would be inexpedient for it to be enforced by law, we regret that it cannot be enforced by law, consider it bad that the person can get away with it, and try to make amends for this by subjecting the offender to a strong expression of our own and the public's disapproval.

Thus the idea of *legal constraint* is still the generating idea of the notion of *justice*, though it goes through several changes before emerging as the notion of justice that exists in an advanced state of society.

I think that the above is a true account, as far as it goes, of the origin and development of the idea of justice. But it does not yet contain anything to distinguish that obligation from moral obligation in general. For the truth is that the idea of *penal sanction*, which is the essence of law, enters not only into the conception of injustice but into the conception of any kind of wrong. Whenever we call something 'wrong' we mean to imply that a person ought to be punished somehow for doing it; if not by law, by the opinion of his fellow-creatures; if not by opinion, by the reproaches of his own conscience. This relation to the idea of enforcement by law seems to be the real turning point of the distinction between *morality* and *simple expediency*. It is a part of the notion of *duty* in every one of its forms that a person *may rightfully be compelled to do his duty*, just as he may rightfully be compelled to pay a debt. If we do not think it would be all right to make a person do a certain thing, we do not call it his 'duty'. There may be reasons of prudence, or of the interests of other people, that count against actually using compulsion, but we clearly understand that the person himself would not be entitled to complain if he were compelled. In contrast with this, there are other things that we wish people would do, like or admire them for doing, perhaps dislike or despise them for not doing, but yet admit that they are not *bound* to do. It is not a case of *moral* obligation; we do not *blame* them, i.e. we do not think that they are proper objects of punishment. It may become clear later on how we get these ideas of deserving and not deserving punishment; but I do not think there is any room

for doubt that this distinction lies at the bottom of the notions of right and wrong; that whether we call a bit of conduct ‘wrong’ rather than using some other term of dislike or discredit depends on whether we think that the person ought to be punished for it; and whether we say it would be ‘right’ for a person to do such-and-such rather than merely that it would be desirable or praiseworthy for him to do so depends on whether we would like to see the person compelled to act in that manner rather than merely persuaded and urged to do so.

So the notion of *fitness to be punished* is the characteristic difference that marks off (not justice, but) morality in general from the remaining provinces of expediency and worthiness; so we are still looking for the characteristic that distinguishes justice from other branches of morality. Now it is known that ethical writers divide moral duties into two classes, to which they give the ill-chosen labels ‘duties of perfect obligation’ and ‘duties of imperfect obligation’. The latter are duties in which, though *the act* is obligatory, *the particular occasions of performing it* are left to our choice. For example, we are bound to engage in acts of charity or beneficence, but we are not bound to perform them towards any definite person or at any prescribed time. In the more precise language of legal theorists, duties of perfect obligation are the ones that create a correlative *right* in some person or persons; duties of imperfect obligation are the moral obligations that do not give rise to any right. I think it will be found that this distinction exactly coincides with the distinction between justice and the other obligations of morality. In my survey of the various common ideas about ‘justice’, the term seemed generally to involve the idea of a personal *right*—a claim on the part of one or more individuals, like what the law gives when it confers an ownership or other legal right. Whether the injustice consists in (1) and (2) depriving a person of something he owns, or in (4) breaking faith with him, or in (3) treating him worse than he deserves or (5) worse than other people who have no greater claims, in each case the supposition implies two things—a wrong done, and some definite person who is wronged. Injustice may also be done by treating a person *better* than others, but in that case some other definite people, his competitors, are wronged.

It seems to me that this feature in the case—some person’s having a right correlated with the moral obligation—constitutes the defining difference that separates justice from generosity or beneficence. Justice implies something which it is not only right

to do, and wrong not to do, but which some individual person can claim from us as his moral right. No-one has a moral right to our generosity or beneficence, because we are not morally bound to practise those virtues towards any given individual. It will be found with *this* as with *every* correct definition that the particular cases that seem to conflict with it are those that most confirm it. Some moralists have tried to argue that although no *given individual* has a right to our beneficence, *mankind in general* does have a right to all the good we can do them. Someone who maintains *that* automatically includes generosity and beneficence within the category of justice. He is obliged to say that we *owe* our utmost exertions to our fellow creatures, thus assimilating those exertions to a *debt*; or that nothing less than our utmost exertions can be an adequate return for what society does for *us*, thus classifying the case as one of *gratitude*, both of which are acknowledged cases of justice. Wherever there is a right, the case is one of justice and not of the *virtue* of beneficence. If you do not draw the general line between justice and morality where I have drawn it, you'll turn out to be drawing *no* line between them and to be merging all morality in justice.

Now that we have tried to discover the distinctive elements that make up the idea of justice, we are ready to start looking for the right answer to these questions:

Is the feeling that accompanies the idea of justice attached to it by a special provision of nature?

Could that feeling have grown out of the idea itself, in accordance with some known laws about human nature ?

If the answer to the second question is Yes, then a more particular question arises:

Could the feeling have originated in considerations of general expediency?

Although the sentiment itself does not arise from anything that would or should be termed an idea of 'expediency', whatever is moral in it *does*.

We have seen that the two essential ingredients in the sentiment of justice are the desire to punish a person who has done harm, and the knowledge or belief that there is some definite individual or individuals to whom harm has been done.

Now it appears to me that the desire to punish a person who

has done harm to some individual is a spontaneous outgrowth from two sentiments that are both utterly natural, and that either are instincts or resemble instincts. They are the impulse of self-defence, and the feeling of sympathy.

It is natural to resent, and to repel or retaliate for, any harm done or attempted against ourselves or against those with whom we sympathise. We needn't discuss the origin of this sentiment here. Whether it is an instinct or a result of intelligence, we know that it is common to all animal nature; for every animal tries to hurt those who have hurt it or its young, or who it thinks are about to do so. In this matter human beings differ from other animals in only two respects. (1) They are capable of sympathising not only with their offspring, or (like some of the more noble animals) with some superior animal who is kind to them, but with all human beings—even with all *sentient* beings. (2) They have a more developed intelligence, which gives a wider range to the whole of their sentiments, whether self-regarding or sympathetic. By virtue of his superior intelligence, even apart from his greater range of sympathy, a human being can understand the idea of a *community of interest* between himself and the human society of which he forms a part, so that any conduct that threatens the security of the society generally is threatening to his own security in particular, and calls forth his instinct (if that's what it is) of self-defence. With that superiority of intelligence joined to the power of sympathising with human beings generally, the human being can take on board the collective idea of his tribe, his country, or mankind, in such a way that any act hurtful to them arouses his instinct of sympathy and urges him to resist.

One element in the sentiment of justice is the desire to punish. That, I think, is the natural feeling of retaliation or vengeance processed by intellect and sympathy so that it applies to the injuries that wound us by wounding society at large. This sentiment in itself has nothing moral in it; what is moral is its being pure purely at the service of the *social* sympathies, so that it is aroused only when *they* call it up. For the *natural* feeling would make us resent indiscriminately whatever anyone does that is disagreeable to us; but when it is *made moral* by the social feeling, it acts only in ways that conform to the general good. A just person resents a hurt to society even if it is not directly a hurt to him, and he does not resent a hurt to himself, however painful, unless it is a kind of hurt that society, as well as he himself, would want to prevent.

You might want to object against this doctrine: ‘When we feel our sentiment of justice outraged, we are not thinking of society at large or of any collective interest, but only of the individual case.’ Well, it is certainly common enough— though the reverse of commendable—for someone to feel resentment merely because *he* has suffered pain; but a person whose resentment is really a moral feeling, i.e. who considers whether an act is blamable before he allows himself to resent it, though he may not explicitly *say to himself* that he is standing up for the interests of society, certainly does *feel* that he is asserting a rule that is for the benefit of others as well as for his own benefit. If he is not feeling this—if he is regarding the act solely as it affects him individually—he is not consciously just; he is not concerning himself about the justice of his actions. This is admitted even by anti-utilitarian moralists. When Kant propounds as the fundamental principle of morals ‘Act in such a way that the rule on which you act could be adopted as a law by all rational beings’, he virtually acknowledges that the interest of mankind must be in the person’s mind when he is conscientiously deciding on the morality of the act. If that is not what Kant is getting at, he is using words without a meaning: for he couldn’t plausibly mean that a rule even of utter selfishness couldn’t possibly be adopted by all rational beings, that there is some insuperable obstacle in the nature of things to its adoption. To give any meaning to Kant’s principle we must take it to be saying that we ought to shape our conduct by a rule that all rational beings might adopt *with benefit to their collective interest*.

To recapitulate: the idea of justice involves two things: a rule of conduct, and a sentiment that sanctions the rule. The rule must be supposed to be common to all mankind, and intended for their good. The sentiment is a desire that punishment may be suffered by those who infringe the rule. A third thing is also involved, namely the thought of some definite person who suffers by the infringement—someone whose rights are violated by it. And the sentiment of justice appears to me to be:

the animal desire to repel or retaliate for a hurt or damage to oneself or to those with whom one sympathises, widened so as to include all persons—with the widening brought about by (2) the human capacity for broadened sympathy and the human conception of intelligent self-interest.

The feeling gets its status as moral from (2), and its unique impressiveness and psychological force from (1).

I have treated the idea of a *right* that the injured person has, and that the injury violates, not as a separate element in the make-up of the idea and the sentiment but as one of the forms in which the other two elements clothe themselves.

These elements are a hurt to some assignable person or persons, and a demand for punishment.

An examination of our own minds, I think, will show that these two include the whole of what we mean when we speak of ‘violation of a right’. When we call something a person’s ‘right’, we mean that he has a valid claim on society to protect him in his possession of it, either by the force of law or by the force of education and opinion. If we think he has a strong enough claim, on whatever basis, to have something guaranteed to him by society, we say that he has ‘a right’ to it. If we want to prove that something does *not* belong to him by right, we think we have done that as soon as it is admitted that society ought *not* to take measures for guaranteeing that he keeps it but should leave that to chance or to his own efforts. Thus, a person is said to have a *right* to what he can earn in fair professional competition, because society ought not to allow anyone else to hinder him from trying to earn as much as he can in that manner. But he does not have a *right* to three hundred pounds a year, even if that is what he happens to be earning; because society is not called on to ensure that he will earn that sum. On the other hand, if he owns ten thousand pounds worth of government bonds at three per cent, he has a right to three hundred pounds a year because society has come under an obligation to provide him with an income of that amount.

As I see it, then, for me to have a right is for me to have something that society ought to defend me in the possession of. Why ought it to do so? The only reason I can give is *general utility*. If that phrase does not seem to convey a good enough sense of how *strong* the obligation is—i.e. good enough to account for the special *energy* of the feeling—that’s because the make-up of the sentiment includes not only a rational element but also an animal element, the thirst for retaliation; and this thirst gets its intensity as well as its moral justification from the extraordinarily important and impressive kind of utility that is concerned. The general interest that is involved is that of *security*, which everyone feels to be the most vital of all interests. All other earthly benefits are needed by this person and not by that, and many of them can if necessary be cheerfully done without or replaced by

something else; but no human being can possibly do without security. We depend on it for all our immunity from evil. And we depend on it for the whole value of every single good that goes beyond the passing moment; because if we could be deprived of anything the next instant by whoever was at that moment stronger than ourselves, nothing could be of any worth to us except the gratification of the instant. Second only to food and drink, security is the most indispensable of all the requirements of life; and it cannot be had unless the machinery for providing it is kept running continuously. That's why our notion of the claim we have on our fellow-creatures to join in making safe for us the very groundwork of our existence gathers feelings around it that are much more intense than those concerned in any of the more ordinary kinds of utility. They are *so much* more intense that this difference in degree (as is often the case in psychology) becomes a real difference in kind. The claim takes on the absoluteness, the apparent infinity that won't let it be weighed against other considerations, which distinguish the feeling of right and wrong from that of ordinary expediency and in expediency. The feelings concerned are so powerful, and we rely so absolutely on finding a responsive feeling in others (because the interests of everyone are involved) that *ought* and *should* grow into *must*, and *recognised indispensability* becomes *moral necessity*, analogous to *physical necessity* and often as strongly binding a force as physical necessity is.

If that analysis or something like it is not the correct account of the notion of justice, if justice is totally independent of utility and is an independently existing standard that the mind can recognise by simply looking into itself, it is hard to understand why that internal oracle is so ambiguous, and why so many things appear just or unjust depending on the light in which they are looked at.

We are continually being told that utility is an uncertain standard which every different person interprets differently, and that there is no safety but in the unchangeable, unerasable, unmistakable dictates of justice, which are self-evident and independent of the fluctuations of opinion. This would make one think that there could be no controversy on questions of justice; that if we take *that* for our rule—the supposedly unmistakable dictate of justice—the question of how to apply it to any given case could be answered with as much certainty as if it had been proved by a mathematical demonstration. This is *so far* from

being the case that there is as much disagreement and discussion about what is just as about what is useful to society. It is not just that different nations and different individuals have different notions of justice; in the mind of one and the same individual justice is not some one rule, principle or maxim, but many, which do not always coincide in their dictates and which the individual chooses between on the basis of some extraneous standard or of his own personal inclinations.

Punishment

For instance, some say that (1) it is unjust to punish anyone for the sake of setting an example for others; that punishment is just only when it is intended for the good of the sufferer himself. Others maintain the exact opposite, contending that (2) to punish adults for their own benefit is despotism and injustice, since if the matter at issue is solely their own good no-one has a right to control their own judgment of it; but that someone may justly be punished to prevent evil to others, this being the exercise of the legitimate right of self-defence. Mr. Owen affirms that (3) is unjust to punish at all; for the criminal did not make his own character; his upbringing and environment have made him a criminal, and he is not responsible for these. All these opinions are extremely plausible; and so long as the question is argued simply as one of justice, without going down to the principles that underlie justice and are the source of its authority, I do not see how any of these reasoners can be refuted. For in truth each of the three builds on rules of justice that are admittedly true. (1) appeals to the acknowledged injustice of singling out an individual and sacrificing him, without his consent, for other people's benefit, relies on the acknowledged justice of self-defence, and the admitted injustice of forcing one person to conform to someone else's notions of what is good for him.

The Owenite invokes the admitted principle that it is unjust to punish anyone for what he cannot help. Each moralist is triumphant so long as he is not forced to take into consideration any maxims of justice except the one he has selected; but as soon as their different maxims are brought face to face, each disputant seems to have exactly as much to say for himself as the others have to say for *themselves*. No one of them can carry out his own notion of justice without trampling on some other notion of it that is equally binding.

These are difficulties; they have always been felt to be such;

and many devices have been invented to get around them rather than to *overcome* them. As a refuge from (3) men imagined what they called ‘freedom of the will’, fancying that they couldn’t justify punishing a man whose will is in a thoroughly odious state unless prior circumstances are thought to have played no part in his coming to be in that state. A favourite device for escaping from the other difficulties has been the fiction of a contract—a contract through which at some unknown period all the members of society promised to obey the laws and consented to be punished for any disobedience to them. This contract was supposed to give to the legislators a right which it is assumed they wouldn’t otherwise have had, to punish lawbreakers either for their own good or for the good of society. This nice idea was thought to get rid of the whole difficulty and to legitimize the infliction of punishment on the strength of another accepted maxim of justice, namely that something is not unjust if it is done with the consent of the person who is supposed to be hurt by it. I need hardly remark that even if this ‘consent’ were not a mere fiction, this maxim does not have greater authority than the others that it is brought in to supersede. On the contrary, it is an instructive specimen of the loose and irregular manner in which supposed principles of justice spring up.

And when it is agreed that it is legitimate to inflict *some* punishment, many conflicting conceptions of justice come to light when people discuss *what*—i.e. discuss the proper apportionment of punishments to offences. No rule on this subject recommends itself so strongly to the primitive and spontaneous sentiment of justice as the *lex talionis*—an eye for an eye and a tooth for a tooth. This principle of Jewish and Moslem law has been generally abandoned in Europe as a practical maxim, but I suspect that there is in most minds a secret hankering after it; and when retribution happens falls on an offender in that precise shape, the general feeling of satisfaction that arises shows how natural is the sentiment that endorses this repayment in kind. For many people the test of justice in this area is that the punishment should be *proportional* to the offence, meaning that it should be exactly measured by the culprit’s moral guilt (whatever their standard is for measuring *that*). According to these people, the question

What amount of punishment is necessary to deter potential offenders from offending?

has nothing to do with the question of justice, whereas for other people that question is the whole topic. According to them, men cannot justly inflict on a fellow creature, no matter what his offences have been, any amount of suffering beyond the least that will suffice to prevent him from repeating his misconduct and others from imitating it. (*Men cannot justly do this; they may have a different view about what God can justly do.*)

Wages

To take another example from a subject I have already referred to. In a co-operative industrial association, is it just or not that someone's talent or skill should entitle him to higher pay? On the negative side of the question it is argued that whoever does *his best* deserves equally well, and cannot justly be put in a worse position through no fault of his own; that higher abilities already bring more than enough advantages—the admiration they arouse, the personal influence they command, and the internal sources of satisfaction that come with them — without adding to these a greater share of the world's goods; and that society is bound in justice to compensate the less favoured for this undeserved inequality of advantages, rather than to make it worse. On the opposite side it is maintained that society receives more from the more efficient worker; that because his services are more useful, society owes him a larger return for them; that a greater share of the joint result is actually his work, and not to allow his claim to it is a kind of robbery; that if he is only to receive as much as others, he can only be justly required to produce as much and to give a smaller amount of time and effort in proportion to his greater efficiency. Who is to decide between these appeals to conflicting principles of justice? In this case justice has two sides to it, which cannot be brought into harmony, and the two disputants have chosen opposite sides—one looking to what it is just that the individual should receive, the other to what it is just that the community should give. Each from his own point of view is unanswerable; and any choice between them *on grounds of justice* must be perfectly arbitrary. Only *social utility* can decide the preference.

Taxation

Then consider how many and how irreconcilable are the standards of justice that people bring into discussions of.. .

.taxation. One opinion is that payment to the state should be numerically proportional to the person's wealth. Others think that justice dictates 'graduated taxation', as they call it, taking a higher percentage from those who have more to spare. In the light of natural justice a strong case might be made for disregarding wealth altogether and taking the same absolute sum from everyone who could pay it—just as the subscribers to an association or a club all pay the same sum for the same privileges, whether or not they can all equally afford it. Since the protection (it might be said) of law and government is provided to everyone and equally demanded by everyone, there is no injustice in making them all buy it at the same price. It is regarded as justice, not *injustice*, for a shop-keeper to charge to all his customers the same price for the same article, not varying the price according to their means of payment. Nobody actually advocates this doctrine, as applied to taxation, because it conflicts so strongly with man's feelings of humanity and of social expediency; but the principle of justice it relies on is as true and as binding as any principles of justice that can be appealed to against it. Accordingly it silently influences lines of defence that are employed for other ways of assessing taxation. People feel obliged to argue that *the state does more for the rich than for the poor*, as a justification for its taking more from them (though really that is not true, for if there were no law or government the rich would be far better able to protect themselves than the poor would be, and indeed would probably succeed in making the poor their slaves). And others defer to the same-price-for-same-goods conception of justice when they maintain that all should pay an equal tax for the protection of their persons (these being of equal value to all), and an unequal tax for the protection of their property (which is unequal in its value). Opponents of this proposal reply that my *everything* is as valuable to me as your *everything* is to you, even if you own much more than I do. The only way of extricating ourselves from these confusions is the utilitarian way.

Well, then, is the line between the *just* and the *expedient* a merely imaginary distinction? Have mankind been deluded in thinking that justice is a more sacred thing than policy, and that policy considerations ought not to be listened to until the demands of justice have been satisfied? By no means. The account I have given of the nature and origin of the sentiment of justice recognises a real distinction. I attach importance to this justice/expediency distinction—at least as much as any of the

moralists who grandly express their utter contempt for the *consequences* of actions as an element in their morality! While I dispute the claims of any theory that sets up an imaginary standard of justice that is not based on utility, I regard the justice that *is* based on utility as being the chief part, and incomparably the most sacred and binding part, of all morality. 'Justice' is a name for certain kinds of moral rules that concern the essentials of human well-being more closely, and therefore are more absolutely binding, than any other rules for the guidance of life; and the notion that we have found to be of the essence of the idea of justice—that of a right residing in an individual—implies and testifies to this more binding obligation.

The moral rules that forbid mankind to hurt one another (remembering always to include in this the wrongful interference with each other's freedom) are more vital to human well-being than any maxims, however important, that merely point out the best way of managing some aspect of human affairs. They have also the special feature that they have more to do with mankind's social feelings than anything else does. Their being observed is the only thing that preserves peace among human beings: if it weren't for the fact that obedience to them is the rule and disobedience the exception, everyone would see everyone else as an enemy against whom he must be perpetually guarding himself. Almost equally important is the fact that these are the precepts that mankind have the strongest and the most direct reasons to get one another to accept. By merely giving each other prudential instruction or exhortation, they may gain nothing (or think they gain nothing). Everyone has an unmistakable interest in urging on others the duty of positive beneficence, but nothing like as *strong* an interest as everyone has in urging on others the duty of justice: a person might not need the benefits that others might give him, but he always needs them not to harm him. Thus the moralities that protect every individual from being harmed by others, either directly or by being hindered in his freedom to pursue his own good, are both the ones that he himself has most at heart and also the ones that he has the strongest interest in announcing and enforcing by word and deed. It is by a person's observance of *these* that we test and decide whether he is fit to exist as one of the fellowship of human beings, for that determines whether he will be harmful to those with whom he is in contact. Now, these are the moralities that primarily make up the obligations of justice. The most conspicuous cases of injustice—the ones

that give its *tone* to the feeling of repugnance that characterises the sentiment—are acts of wrongful aggression, or wrongful exercise of power over someone; the next are acts that consist in wrongfully withholding from a person something that is his due; in both cases a positive hurt is inflicted on him, in the form either of direct suffering or of the lack of some good that he had reasonable grounds, either of a physical or of a social kind, for counting on.

The same powerful motives that command us to observe these primary moralities tell us to punish the people who violate them. This calls up the impulses of self-defence, of defence of others and of vengeance against such people; and for that reason *retribution* or *evil for evil* comes to be closely connected with the sentiment of justice, and is included in everyone's idea of justice. *Good for good* is also one of the dictates of justice. This is obviously socially useful, and carries with it a natural human feeling; but it does not have at first sight the obvious connection with *hurt* or *injury* that is the source of the characteristic intensity of the sentiment of justice, and is present in the most elementary cases of just and unjust. But although the connection with hurt or injury is less obvious, it is not less real.

Someone who accepts benefits and refuses to give benefits in return at a time when they are needed inflicts a real hurt, by disappointing a very natural and reasonable expectation—an expectation that he must at least tacitly have encouraged, for otherwise (in most cases) the benefits would not have been conferred in the first place. The disappointment of expectation ranks high among human evils and wrongs, as is shown in the fact that it constitutes the principal criminality of two highly immoral acts—breach of friendship and breach of promise. Few hurts that human beings can receive are greater, and none wound more, than when someone that a person has habitually and confidently relied on fails him in his hour of need; and few wrongs are greater than this mere withholding of good; none arouse more resentment in the suffering person or in a sympathising spectator. So the principle of giving to each what he deserves—i.e. *good for good* as well as *evil for evil*—is not only included within the idea of justice as I have defined it but is a proper object of that *intensity* of sentiment which leads people to put the just higher than the merely expedient.

Most of the maxims of justice that are current in the world, and commonly appealed to in dealings where justice is involved,

are simply ways of putting into effect the principles of justice that I have spoken of. That a person is responsible only for what he has voluntarily done or could voluntarily have avoided, it is unjust to condemn any person without giving him a hearing, the punishment ought to be proportional to the offence, and the like, are maxims intended to prevent the just principle of *evil for evil* from being twisted to the infliction of evil without that justification. Most of these common maxims have come into use from the practice of courts of justice, which have laid down the rules that are necessary if they are to fulfil their double function of inflicting punishment when it is due and of awarding to each person his right. It was only natural that *they* should have been led to a more complete recognition and elaboration of such rules than was likely to occur to anyone else.

The first of the judicial virtues, *impartiality*, is an obligation of justice partly for the reason just given—namely that it is a necessary condition of the fulfilment of the other obligations of justice. But this is not the only source of the high status among human obligations of the maxims of *equality and impartiality*—maxims that are included among the precepts of justice by the common run of people *and* by those who are most enlightened. From one point of view they can be seen as following from the principles I have already laid down. If it is a duty to do to each according to his deserts, returning good for good as well as repressing evil by evil, it necessarily follows that we should (when no higher duty forbids this) treat equally well all who have deserved equally well of us, and that society should treat equally well all who have deserved equally well *of it*—that is, who have deserved equally well *period*. This is the highest abstract standard of social and distributive justice. All institutions and the efforts of all virtuous citizens should be made to converge on this standard as far as possible.

But this great moral duty rests on a still deeper foundation, being a direct upshot of the first principle of morals, and not a mere logical inference from secondary or derivative doctrines. It is involved in the *very meaning* of utility, or the greatest happiness principle. That principle is a mere form of words with no intelligible meaning unless *one person's happiness counts for exactly as much as another's* (assuming that they are equal in degree, and with the proper allowance made for differences in *kinds* of happiness. Bentham's dictum, 'everybody to count for one, nobody for more than one' might be written under the

principle of utility as an explanatory commentary.²

Everyone's equal claim to happiness (in the opinion of the moralist and the legislator) involves an equal claim to all the means to happiness, except when the maxim is limited by the inevitable conditions of human life and the general interest (which includes the interests of every individual). When such limits *are* set, they ought to be strictly construed. Just as with every other maxim of justice, this one is far from being universally applied or thought to be applicable; on the contrary, as I have already remarked, it bends to every person's ideas of social expediency. But whenever it is taken to be applicable at all, it is held to be something that justice dictates. All people are judged to have a right to equality of treatment, except when some recognised social expediency requires the reverse. And so it comes about that when any social inequality stops being considered expedient it comes to be considered not merely as inexpedient but as *unjust*. Then it appears to be so tyrannical that people are apt to wonder how it could ever have been tolerated; forgetting that they themselves may—under an equally mistaken notion of expediency—be tolerating other inequalities which, if they were corrected, would seem quite as

² This implication, in the first principle of the utilitarian scheme, of perfect impartiality between persons is regarded by Mr. Herbert Spencer (in his *Social Statics*) as disproving utility's claim to be a sufficient guide to right; because (he says) the principle of utility presupposes the underlying principle that everybody has an equal right to happiness. It may be more correctly described as supposing that equal amounts of happiness are equally desirable, whether felt by the same or by different persons. But this is not a presupposition of the principle of utility, or a premise that is needed in defence of the principle; rather, it is the principle itself; for what is the principle of utility if not the proposition that that 'happiness' and 'desirable' are synonymous terms? The only underlying principle that is implied is this: the truths of arithmetic are applicable to the valuation of happiness, as of all other measurable quantities.

Mr. Spencer, in a letter on the subject of the preceding note, objects to being considered an opponent of utilitarianism, and says that he regards happiness as the ultimate end of morality; but he thinks that that end is only partially achievable by empirical generalisations from the observed results of conduct, and is completely achievable only by deducing from the laws of life and the conditions of existence what kinds of action necessarily tend to produce happiness and what kinds to produce unhappiness. I entirely agree with this doctrine, except for the word 'necessarily'; and when that word is set aside, I do not know of any modern advocate of utilitarianism who would disagree. Mr. Spencer in *Social Statics* especially picked on Bentham. But Bentham is utterly willing to deduce the effect of actions on happiness from the laws of human nature and the universal conditions of human life; no writer is more so! He is usually accused of relying too exclusively on such deductions, and refusing to be bound by the generalisations from specific experience that Mr. Spencer thinks that utilitarians generally confine themselves to. My own opinion (and, I gather, Mr. Spencer's) is that in ethics, as in all other branches of scientific study, what is needed to give to any general proposition the kind and degree of evidence that constitutes scientific proof is that the results of these two processes shall harmonize, each corroborating and verifying the other.

monstrous as the one that the people have eventually learnt to condemn. The entire history of social improvement has been a series of transitions in which one custom or institution after another moves from being a supposed primary necessity of social existence into the category of a universally condemned injustice and tyranny. That is what has happened with distinctions of slaves and freemen, nobles and serfs, patricians and plebeians; and so it will be, and in part already is, with the aristocracies of colour, race, and sex.

From what I have said it appears that ‘justice’ is a name for certain moral requirements which, regarded collectively, stand higher in the scale of social utility—and are therefore more bindingly obligatory—than any others; though particular cases may occur in which some other social duty is important enough to overrule one of the general maxims of justice. Any of those maxims could be overruled in that way. Thus, to save a life it may be not merely allowable but a duty to steal or take by force the necessary food or medicine, or to kidnap the only qualified medical practitioner and compel him to serve. We do not call anything ‘justice’ that is not a virtue; so in these cases of overruling we usually say not that justice must give way to some other moral principle but rather that what is just in ordinary cases is not just in this particular case because of that other principle, the one that does the overruling. By this useful adjustment of language we enable justice to keep its character as something that *cannot* be overruled, and we’re spared the necessity of maintaining that injustice can sometimes be praiseworthy.

The considerations that I have brought forward seem to me to resolve the only real difficulty confronting the utilitarian theory of morals. It has always been evident that all cases of justice are also cases of expediency: the difference is in the special sentiment that attaches to the former and not to the latter. If this characteristic sentiment has been sufficiently accounted for; if there is no need to credit it with having some special origin all of its own; if it is simply the *natural* feeling of resentment, made *moral* by being made coextensive with the demands of social good; and if this feeling not only does but ought to exist in all the classes of cases to which the idea of justice corresponds; then the idea of justice no longer presents itself as a stumbling-block to utilitarian ethics. ‘Justice’ remains the appropriate name for certain social utilities. The utilities in question are vastly more important, and therefore more absolute

and imperative, than any others are *as a class* (though not more so than others may be *in particular cases*); so they ought to be (and naturally *are*) guarded by a sentiment that differs from others not only in *degree* but also in *kind*. The sentiment of justice is distinguished from the milder feeling that attaches to the mere idea of promoting human pleasure or convenience by the more definite nature of its commands and by the sterner character of its sanctions.

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[Based upon [Jonathan Bennett's edition](#).]